

PROVO MUNICIPAL COUNCIL

Redevelopment Agency of Provo Regular Meeting Agenda

5:30 PM, Tuesday, May 03, 2016 Room 200, Municipal Council Chambers 351 West Center

Decorum

The Council requests that citizens help maintain the decorum of the meeting by turning off electronic devices, being respectful to the Council and others, and refraining from applauding during the proceedings of the meeting.

Opening Ceremony

Roll Call

Invocation and Pledge

Approval of Minutes

Presentations, Proclamations and Awards

- 1. Covey Center presents Foreigner
- 2. A Proclamation on Bike to Work Day, May 10, 2016 (16-058)
- 3. A presentation on the Golden Spoke Award

Public Comment

Fifteen minutes have been set aside for any person to express ideas, concerns, comments, or issues that are not on the agenda:

Please state your name and city of residence into the microphone.

Please limit your comments to two minutes.

State Law prohibits the Council from acting on items that do not appear on the agenda.

Mayor's Items and Reports

- 4. A resolution tentatively adopting a proposed budget for Provo City Corporation for the fiscal year beginning July 1, 2016 and ending June 30, 2017. (16-054)
- 5. A resolution authorizing the Mayor to submit an application for a Utah County Municipal Grant to

be used for the hiring of a consultant to design the necessary construction documents to renovate the Provo River Trail. (16-057)

Redevelopment Agency of Provo

- 6. A resolution of the Governing Board of the Redevelopment Agency of Provo City Corporation authorizing the appropriation of \$154,950.37 from unencumbered reserves in fund 279 for the payment of costs incurred by cowboy partners for the remediation of property once owned by the Redevelopment Agency. (16-048)
- 7. A resolution tentatively adopting a proposed budget for the Redevelopment Agency of Provo City Corporation in the amount of \$4,292,168 for the fiscal year beginning July 1, 2016 and ending June 30, 2017. (16-055)

Storm Water special Service District

8. A resolution tentatively adopting a proposed budget for the Provo City Storm Water Special Service District in the amount of \$4,196,475 for the fiscal year beginning July 1, 2016 and ending June 30, 2017. (16-056)

Policy Items Referred from the Planning Commission

- A public hearing on an ordinance amending Provo City Code Chapters 14.41 (Home Occupations), 15.03 (General Development Standards), 15.04 (Conventional and Open Space Subdivision Requirements), and 15.06 (Condominiums) to clarify and update submittal requirements for planning applications. City Wide Impact. (15-0012OA)
- 10 A public hearing on an ordinance amending Provo City Code Section 14.49E.050 (One Family Homes at Celebration (Village 1)) regarding the allowance for both side yards to have a minimum setback of five feet. North Lakeview Neighborhood. (16-0002OA)
- A public hearing on an ordinance amending the zone map classification of approximately 0.54 acres of real property, generally located at 1080 West 500 north, from Residential Conservation (RC) to Low Density Residential (LDR). North Park Neighborhood. (16-0002R)
- 12 A public hearing on an ordinance amending Provo City Code Section 14.34.500 (Fencing Standards for Residential Zones) to allow six-foot, solid fencing within the front setback in residential zones. City Wide Impact. (16-0001OA)

Council Items and Reports

If you have a comment regarding items on the agenda, please email or write to Council Members. Their contact information is listed on the Provo website at: http://provo.org/government/city-council/meet-the-council

Materials and Agenda: http://publicdocuments.provo.org/sirepub/meet.aspx

Council Blog: http://provocitycouncil.blogspot.com/

The next scheduled Regular Council Meeting will be held on 05/17/2016 at 5:30 PM in the Council Chambers, 351 West Center Street, Provo, unless otherwise noticed. The Work Session meeting start times is to be determined and will be noticed at least 24 hours prior to the meeting time, but typically begins between 1:00 and 4:00pm.

Notice of Compliance with the Americans with Disabilities Act (ADA)

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aides and services) during this meeting are invited to notify the Provo Council Office at 351 W. Center, Provo, Utah 84601, phone: (801) 852-6120 or email ljorgensen@provo.utah.gov at least three working days prior to the meeting. The meeting room in Provo City Center is fully accessible via the south parking garage access to the elevator. The Council Meeting is also broadcast live Provo Channel 17 at https://www.youtube.com/user/ProvoChannel17. For access to past Work and Council Meetings, go to playlists on https://www.youtube.com/user/ProvoChannel17.

Notice of Compliance with Public Noticing Regulations

This meeting was noticed in compliance with Utah Code 52-4-202 and Provo City Code 14.02.010. Agendas and minutes are accessible through the Provo City website at council Meeting agendas are available through the Utah Public Meeting Notice website at pmn.utah.gov. Email subscriptions to the Utah Public Meeting Notice are available through their website.

Notice of Telephonic Communications

One or more Council members may participate by telephone or Internet communication in this meeting. Telephone or Internet communications will be amplified as needed so all Council members and others attending the meeting will be able to hear the person(s) participating electronically as well as those participating in person. The meeting will be conducted using the same procedures applicable to regular Municipal Council meetings.

Network for public access is "Provo Guest", password "provoguest".

Proclamation

Bike to Work Day May 10, 2016

WHEREAS, biking to work reduces the numbers of automobile trips to and from work while promoting clean air, easing congestion, and creating more livable communities; and

WHEREAS, bicycle commuting benefits both employees and employers hrough better employee health and fitness; reduced commuting, parking, and lealth care costs; lower employee absenteeism and turnover, and increased imployee productivity; and

WHEREAS, besides many walking and biking trails in Provo, the Provo River Parkway trail has proven to be an effective means for bicycling from Utah ake to Bridal Veil Falls in Provo Canyon; and

WHEREAS, Provo City has promoted and encouraged commuters to use heir bikes to get to work.

NOW, THEREFORE, I, John R. Curtis, **Mayor of the City of Provo** do nereby proclaim May 10, 2016 as

Bike to Work Day

and encourage Provo City employees and residents to make an effort to ride heir bikes to work as often as possible.

the Official Seal of 3 ^{3rd} Day of May 201	
 John R.	Curtis, Mayo
	ATTEST
 Janene Weiss	City Recorde

In Witness Thereof, I Hereby Set My Hand

1	RESOLUTION 2016-
2	
3 4	A RESOLUTION TENTATIVELY ADOPTING A PROPOSED BUDGET FOR PROVO CITY CORPORATION FOR THE FISCAL YEAR BEGINNING JULY
5 6	1, 2016 AND ENDING JUNE 30, 2017. (16-054)
7	WHEREAS, the Mayor has prepared a proposed budget (the "Proposed Budget") for
8 9	Provo City Corporation as required by Utah State Law; and
10	WHEREAS, the Proposed Budget, together with supporting schedules and data, will be
11	available for public inspection in the office of the City Recorder as required by law; and
12	
13 14	WHEREAS, the Municipal Council will consider formal adoption of the Proposed Budget in public hearings to be held on June 7, 2016 and June 21, 2016; and
15	
16	WHEREAS, the Municipal Council finds the Proposed Budget for Provo City
17	Corporation for the fiscal year beginning on July 1, 2016 and ending June 30, 2017, as set forth
18	in the attached Exhibit A, should be tentatively adopted as required by Section 10-6-111(3) of
19	the Uniform Fiscal Procedures Act for Utah Cities.
20	
21	NOW, THEREFORE, be it resolved by the Municipal Council of the City of Provo, Utah,
22	as follows:
23	
24	PART I:
25	
26	1. The Proposed Budget for Provo City Corporation in the amount of \$200,614,858 is
27	hereby tentatively adopted for the fiscal year beginning July 1, 2016 and ending June 30, 2017,
28	as set forth in the attached Exhibit A.
29	2. The Manieiral Council directs that making bearings to consider the Droposed Dadget
30	2. The Municipal Council directs that public hearings to consider the Proposed Budget
31	shall be held on June 7, 2016 and June 21, 2016 and that notice thereof shall be published at least
32 33	seven days prior to each hearing in at least one newspaper of general circulation published in Utah County.
34	Otali County.
35	PART II:
36	TAKT II.
37	This resolution shall take effect immediately.
38	This resolution shall take effect infinediately.
39	END OF RESOLUTION.

	FY2017 Prop	osed Budget b	y Fund		
	Revenue	Transfer In	Expenditures	Transfer Out	Change in
Fund					Fund Balance
General Fund	47,684,400	<u>11,935,518</u>	(54,432,772)	(5,187,146)	
Enterprise Funds					_
Airport	532,500	211,705	(744,205)	-	-
Energy	77,462,093	-	(61,472,948)	(15,989,988)	(843)
Golf Course	815,100	121,283	(932,665)	-	3,718
Sanitation	4,667,478	-	(4,304,790)	(645,880)	(283,192)
Utility Transportation	2,300,000	-	(2,300,000)	-	-
Wastewater	9,155,803	-	(5,082,258)		63,651
Water	12,154,927	583,820	(7,629,497)	<u>(6,111,511</u>)	(1,002,261)
Total Enterprise Funds	107,087,901	916,808	(82,466,362)	<u>(26,757,273</u>)	(1,218,926)
Capital Improvement Funds					
Airport	3,200,000	20,000	(3,220,000)	-	-
B&C Road	-	2,734,561	(3,140,000)	-	(405,439)
Energy	-	4,773,054	(7,336,154)	(295,427)	(2,858,527)
Engineering	4,300,000	-	(2,325,000)	-	1,975,000
General CIP	-	-	(398,367)	_	(398,367)
Golf	-	-	-	=	-
Parks & Recreation	4,645,000	1,306,002	(8,141,775)	-	(2,190,773)
Sanitation	-	100,000	(25,000)	(260,000)	(185,000)
Wastewater	500,000	2,169,000	(2,669,000)	-	-
Water	150,000	4,480,000	(7,038,443)	-	(2,408,443)
Total Capital Improvement Funds	12,795,000	<u>15,582,617</u>	(34,293,739)	(555,427)	<u>(6,471,549</u>)
Special Revenue Funds					
Arts Council	506,133	335,428	(841,561)	_	0
Cemetery Perpetuity	220,000	-	(169,902)	-	50,098
Performance	235,000		(235,000)	-	-
Emergency Response	612,000	-	(618,385)	_	(6,385)
Justice Court	1,901,000	-	(1,470,539)	(430,461)	-
Library	4,027,256	-	(4,192,242)	-	(164,986)
Trust & Agency	18,000	-	(2,000)	-	16,000
Family Games	75,000	-	(71,473)	-	3,527
Total Special Revenue Funds	<u>7,594,389</u>	335,428	<u>(7,601,101</u>)	(430,461)	<u>(101,745</u>)
Debt Service					
Telecom	7,500	3,250,000	(3,218,969)	-	38,531
ERP	1,201,884		(1,092,789)		109,095
General	3,993,243	169,902	(3,375,701)	(440,000)	347,444
Total Debt Service Funds	5,202,627	3,419,902	(7,687,459)	(440,000)	495,070
Internal Service Funds					
Capital Resource	7,649	_	(7,649)	_	
Computer Replacement		_	-	_	
Customer Service	2,719,037	93,889	(2,812,926)	-	0
Employee Benefits	2,547,444	-	(2,547,444)	-	0
Vehicle Replacement	2,782,084	248,448	(3,715,250)	-	(684,718)
Facility Services	862,585	-	(862,585)	-	
Telecom	490,000	_	(29,372)	-	460,628
Insurance/Claims	1,476,603	-	(1,276,602)	-	200,001
Vehicle Maintenance	2,881,596	-	(2,881,596)	-	-
Total Internal Service Funds	13,766,998	342,337	(14,133,425)	-	(24,089)
Total - All Funds	194,131,316	32,532,610	(200,614,858)	(33,370,307)	(7,321,239)
i Otal - Mi Fufius	134, 131,310	<u>JE,JJE,610</u>	(200,014,030)	(33,370,307)	11,321,239

Customer Ad Proof

60005417 **Provo City Corporation**

Order Nbr 70375

Publication	Daily Herald		
Contact	Provo City Corporation	PO Number	
Address 1	P.O. BOX 1849	Rate	Provo City
Address 2	•	Order Price	16.46
City St Zip	PROVO UT 84603	Amount Paid	0.00
Phone	8018526505	Amount Due	16.46
Fax	•		
Section	Legals	Start/End Dates	04/26/2016 - 04/26/2016
SubSection	-	Insertions	 1
Category	999 Legal Notices	Size	14
Ad Key	70375-1	Salesperson(s)	CLASSIFIED DEFAULT
Keywords	70375-NOTICE	Taken By	Whitney Mason

Ad Proof

Notes

NOTICE

Notice is hereby given that the Municipal Council of the City of Provo, Utah, will hold a public hearing at a meeting that will be begin at 5:30 p.m. on Tuesday, May 3rd, 2016, in the Municipal Council Chambers located at the Provo City Center, 351 West Center Street, Provo, to consider a resolution adopting a tentative budget for the 2016-2017 Budget year for Provo City, Provo Redevelopment Agency, and Storm Water Special Service District. Dustin Grabau, Provo City Budget Officer Legal Notice 70375 Published in The Daily Herald April 26, 2016

SWN\promasow 1 of 2 4/20/2016 3:14:07 PM

Customer Ad Proof

#Error

Publication	Herald Extra Online		
Contact	Provo City Corporation	PO Number	
Address 1	P.O. BOX 1849	Rate	Provo City
Address 2		Order Price	16.46
City St Zip	PROVO UT 84603	Amount Paid	0.00
Phone	8018526505	Amount Due	16.46
Fax			
Section	Legals	Start/End Dates	04/26/2016 - 04/26/2016
SubSection		Insertions	1
Category	999 Legal Notices	Size	14
Ad Key	70375-1	Salesperson(s)	CLASSIFIED DEFAULT
Keywords	NOTICE Notice is hereby given	Taken By	Whitney Mason
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Dustin Grabau, Provo City Budget Officer Legal Notice 70375 Published in The Daily Herald April 26, 2016



Provo City Parks and Recreation KS & Department

Staff Memorandum

2016 Utah County Municipal Grant

May 3, 2016

Department Head

Scott Henderson Phone801-852-6602

Presenter

Scott Henderson Phone801-852-6602

Required Time for Presentation

5 Minutes

Is This Time Sensitive Yes

Purpose of Proposal

• 2016 Utah County Municipal Grant Application

Action Requested

• Council Approval of Grant Proposal

Relevant City Policies

Parks and Recreation Capital Improvement Plan

Budget Impact

• None, Reimbursement Grant

Description of this item

This is an annual grant offered by Utah County for communities within the county. Funding for the grant comes from the "Restaurant Tax". Funds distributed to communities based on population data collected in 2013 Census. Based on Provo's population, grant allocation is: \$62,005.12

In order to be considered, all grant proposals must be submitted in May 2016. This is a reimbursement grant. City expends funds and must submit for reimbursement.

Funding would be used to retain an engineering consultant to design the necessary construction documents to renovate the Provo River Trail. This project is the highest priority of the 5 Year Parks and Recreation Capital Improvement Plan.

1	RESOLUTION 2016-
2	
3 4	A RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION FOR A UTAH COUNTY MUNICIPAL RECREATION GRANT TO BE USED FOR
5	THE HIRING OF A CONSULTANT TO DESIGN THE NECESSARY
6	CONTRUCTION DOCUMENTS TO RENOVATE THE PROVO RIVER TRAIL. (16-
7	057)
8	WHEREAC 'A' 14 AM 1 A ' 14 1 'A 1' C
9	WHEREAS, it is proposed that the Mayor be authorized to submit an application for a
10 11	Utah County Municipal Recreation Grant to be used for the hiring of a consultant to design the necessary construction documents to renovate the Provo River Trail; and
12	necessary construction documents to renovate the riovo kiver tran, and
13	WHEREAS, the Utah County Commission has determined that available funds will be
14	divided among municipalities based on the population estimates (State of Utah 2013 Census
15	Data); and
16	
17	WHEREAS, the total funding available for the 2016 Utah County Municipal Recreation
18	Grant for Provo City is \$62,005.12; and
19	
20	WHEREAS, the funds for this grant program come from the Tourism, Recreation,
21	Culture and Convention Tax pursuant to Section 59-12-601 et seq., Utah Code Annotated, 1953
22	as amended, and Section 21.4.1 et seq., Utah County Code; and
23	WHERE AC Marc 2, 2016 the Marriage I Committee I delegated mobile marriage to
24	WHEREAS, on May 3, 2016 the Municipal Council held duly noticed public meetings to
25 26	ascertain facts regarding this matter, which facts are found in the meeting records; and
27 27	WHEREAS, after considering the facts represented to the Municipal Council, the Council
28	finds (i) the Mayor should be authorized to submit the proposed grant application, and (ii) such
29	action reasonably furthers the health, safety, and general welfare of the citizens of Provo City.
30	
31	NOW, THEREFORE, be it resolved by the Municipal Council of Provo City, Utah as
32	follows:
33	DADE I
34	PART I:
35 36	The Mayor is hereby authorized to sign the Utah County Municipal Recreation Grant
37	Application and submit it to the Utah County Commission for consideration to be used for the
38	consultant and design of construction documents to renovate the Provo River Trail.
39	constraint and acoign of constraint accuments to renovate the river rane.
40	PART II:
41	
42	This resolution shall take effect immediately.
43	
44	END OF RESOLUTION.





2016 Municipal Recreation Grant Application

Municipality: <u>Provo City</u>					
Name of Preparer/Contact Person: Thomas McKenna, Project Manager					
Mailing Address: 1417 South 350 East, Pro	Mailing Address: 1417 South 350 East, Provo, Utah 84606				
Phone: <u>801-852-6643</u> E-mail: <u>tn</u>	nckenna@provo.org				
Grant Amount Requested 2016: 5	62,005.12				
2015:	if eligible)				
TOTAL: \$ <u>62</u>	2,005.12				
Project Name: <u>Provo River Trail Engineering and Automotive Provo River Trail Engineering and Automotive Project Name</u> :	nd Design Services				
Project Location: <u>Provo River Trail</u>					
Project Type: (Please check all that apply.)					
☐ Physical Facilities (Construction) ☐ Cultu	ral Facility				
Recreational Facility	Convention Facility				
Please submit a detailed project of	lescription with application				
Application deadline is MAY	2, 2016 @ 5:00 P.M.				
Date Approved by Municipal Council:					
Mayor Signature FOR INTERNAL OFFICE	Date FUSE ONLY				
FOR INTERNAL OFFICE	A COLL CITLE				

		Received by Commission Office	Commission Office	County Auditor	



Provo River Trail Engineering and Design Services

The Provo River Trail is consistently rated as a highly valued recreation facility by Provo residents and visitors to the city. Renovation and improvement of the trail is a top priority of the current Parks and Recreation Capital Improvement Plan. 2016 Utah County Municipal Recreation Grant funds would be used for design and engineering services. Construction documents and plans resulting from these funds will guide imminent trail construction that will address:

<u>Safety</u> – sections of the trail that are currently narrow and difficult to navigate will be designed with more gradual curves; trail edges that have eroded will be filled and leveled, new asphalt and concrete will provide smoother surfaces and flatten-out existing trail bumps, holes and irregularities; intersections and crossings will be updated to current safety standards; non-motorized, bicycle and other alternative transportation will be enhanced; lighting will be added and enhanced to increase safety.

<u>Increased Capacity</u> – the original trail was constructed with a much smaller use expectation with some sections that are less than 6 feet wide; trail widening will better meet current capacity and future growth needs of the city; improves an existing transportation corridor through the city that is used by alternative transportation.

Enhanced accessibility - design will include accessible and improved transitions to crossing pathways, streets, ramps and sidewalks; improve directional wayfinding signage; bike racks included to accommodate alternative transportation; enhanced connections to neighborhoods; improved accessibility for special event and group use.

<u>Safer and more comfortable tunnels and crossings</u> - design will include more open and less constricting trail tunnels and crossings and other design features that will bring the Provo River Trail to a higher standard.

Applicable Planning Objectives:

- Provo City General Plan -
 - Chapter 8: Bike Paths "Bike paths within the city are still progressing, and conscious efforts should be maintained to continue construction of safer on-street bikeways and separated path and trail systems. Well-designed sidewalks and pathways create the sense of comfort and safety necessary to encourage walking."
- Provo Parks and Recreation Master Plan,
 - o Public Opinion Survey
 - Community Needs Assessment
- <u>Vision 2030 Plan</u>- Goal 1.1 Improve neighborhood interconnectivity.
 Objective 1.1.2 Create and maintain bike trail and sidewalk systems that connect all parts of Provo.
- Bicycle Transportation Plan

Thank you for your consideration of this important project.









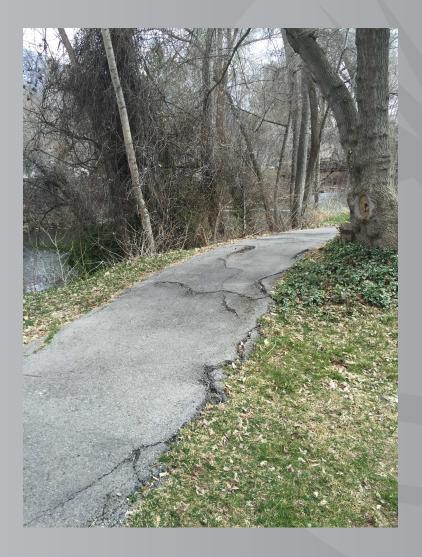


2016 UTAH COUNTY MUNICIPAL GRANT

Provo River Parkway Trail
Engineering and Design Services



Existing trail last paved in 1998









Trail crossings





Enhanced Trail Crossings





Improved Trail Standards





Provo City (Redevelopment)

Staff Memorandum

Memo Title

April 12, 2016

Department Head

David Walter 852-6167

Presenter

David Walter 852-6167

Required Time for Presentation

30 minutes

Is This Time Sensitive

Yes

Case File # (if applicable)

Purpose of Proposal

 To reimburse Cowboy Partners for costs incurred while handling contamination during construction of Liberty Square

Action Requested

• Approval of \$154,950.37 from fund balance in Fund 279

Relevant City Policies

- Pursue economic development initiatives
- Eliminate blight
- Provide Housing

Budget Impact

• \$154,650.27 from Fund 279 Fund balance

Description of this item (at least 2 paragraphs)

• The Community Redevelopment Agency of Provo City Corporation (Agency) purchased the property at Center Street and 300 West over a number of years and from various property owners. One of the prior uses involved underground storage tanks and the Agency had environmental studies performed and the tanks removed in accordance with state law. Subsequently, the property was sold to Cowboy Partners for a multistory mixed use development entitled Liberty Center. Liberty Center will be four-stories with 120 apartments and 6,465 square feet of commercial space on the ground floor.

- Cowboy closed escrow on the property and got their necessary permits and began construction. During their excavation process, the contractors discovered contamination on the site. They were required halt construction and deal with the contamination pursuant to guidelines from the State of Utah. Also pursuant to those guidelines, the Agency, as the entity that removed the underground storage tanks, is the responsible party for the costs of cleaning up the contaminated soil. Cowboy Partners, to facilitate the cleanup and not face any further delays, cleaned up the site and worked with their subcontractors to get the most reasonable price for the work. They have completed the remediation and have submitted an invoice to us.
- Staff is requesting authority to appropriate \$154,650.27 from unencumbered fund balance from Fund 279 to reimburse Cowboy Partners. It is important to note that many of the subcontractors used on the project are small local contractors who typically do not have a large cash reserve for these situations. Staff is also working with Legal to determine if we are able to seek any form of reimbursement from prior property owners.
- Attached to this report are Cowboy Partners' request and copies of the invoices. Staff is available for any questions

RESOLUTION 2016-RDA-.

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Α RESOLUTION OF THE GOVERNING BOARD OF THE REDEVELOPMENT AGENCY OF PROVO CITY CORPORATION **AUTHORIZING** THE APPROPRIATION OF \$154,950.37 UNENCUMBERED RESERVES IN FUND 279 FOR THE PAYMENT OF COSTS INCURRED BY COWBOY PARTNERS FOR THE REMEDIATION OF PROPERTY ONCE OWNED BY THE REDEVELOPMENT AGENCY. (16-048)

8 9 10

11 12

13

WHEREAS, the Redevelopment Agency of Provo City Corporation (Agency) was created to transact the business and exercise all of the powers provided in the Utah Neighborhood Development Act, the Utah Redevelopment Agencies Act and the current Utah Community Development and Renewal Agencies Act and any subsequent, replacement or amended law or act (the Act); and

141516

WHEREAS, pursuant to the Act, as amended, the Agency is empowered to acquire property, remediate it and sell it for development; and

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21

22

WHEREAS, the Agency acquired and assembled property generally located in Block 70 of downtown Provo (more specifically properties located along the eastern edge of 300 West) and performed Phase I environmental studies, and where warranted, Phase II environmental studies on the properties, removing the underground storage tanks discovered on the property through this process; and

232425

26

WHEREAS, the Agency subsequently sold the property to Cowboy Partners who agreed to develop the property as a four story mixed use complex with 6,529 square feet of commercial space on the ground floor and 120 apartments with an appurtenant parking structure; and

272829

30

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33

WHEREAS, after considering the environmental data provided by the Agency and beginning construction, Cowboy Partners discovered contamination on the site and brought in the State Division of Environmental Response and Remediation who approved of the cleanup and notified the Agency that as the entity that removed the tanks it is the party responsible for the cleanup; and

3435

36

WHEREAS, Cowboy Partners has now submitted an invoice with supporting documentation for the remediation efforts they have undertaken to improve the property and proceed with the construction of their mixed-use project; and

373839

40

WHEREAS, the only source of funding available to the Agency for the reimbursement of these remediation costs is from unencumbered fund balance.

41	
42	NOW, THEREFORE, be it resolved by the Governing Board of the Redevelopment
43	Agency of Provo City Corporation as follows:
44	
45	PART I:
46	
47	For and on behalf of the Redevelopment Agency of Provo City Corporation, the Chief
48	Executive Officer or his designee is authorized to:
49	1. Appropriate from unencumbered fund balance the \$164,520 necessary to
50	reimburse Cowboy Partners for the remediation of the property sold by the
51	Agency.
52	2. Remit the money to Cowboy Partners for the remediation.
53	3. Pursue any legal and viable options for recovering the costs through the
54	environmental laws of the State of Utah.
55	
56	PART II:
57	
58	This resolution shall take effect immediately.
59	
60	END OF RESOLUTION.







































ET Export (B) No. 264523

E.T. TECHNOLOGIES INC.



NOR

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SCALEHOUSE NITIALS

E.T. TECHNOLOGIES INC. SOILS REGENERATION SITE 6030 W. 1300 SOUTH (801) 973-2065 SALT LAKE CITY, UTAH 84104

NON-HAZARDOUS TS31INAM 3TSAW

2				/	0.1	
88.512\$	51.818	91	1.8	SONOS	02552	0-0259
Price	Price/Ton		Clas	14gisW 1sN	Tare Weight	Gross Weight
51-2-2	S sted	— <u> </u>	PFICE USE C	HIN SCHOLON FOR	entative:	Signature of E.T. Repres
	Company		Trile	And the second s	:/8	GENERATOR 3 — Certified
	Company		Tule		:48	GENERATOR 2 - Certitled
s for this evolus becinoses st eleaw blac fart egbe se segrado grillonari isc	saliprocessing lees and specials of interesting the schools	alions, 1 furmer centrol of to pay for all dispo	vernmental regues 7. Pari 260 & 26 29:es, Inc. agree	Federal, State and Local go iment Regulations and 40 C.1 e operated by E.1. Technolo roil.	highway according to applicable Usan Hazardous Wasie Manage ise at the Solid Hegeneration Sin Solid Wasie Management Court charge of 1.5 % per mont delinquent accounts.	I hereby dedere that the contents in proper condition for transport by assetting a designated by the Sail Lake Valley I turther agree to pay a late attenties by the Sail Lake Valley I turther agree to pay a late attenties by the Sail Lake Valley I turther agree to pay a late attenties and the Sail Lake Valley I turther agree to pay a late attenties and the Sail Lake Valled by the Sail La
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TCAET#

ET Export (B)



Phone 801-521-2312

P.O. Box 572476

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Pink – Foreman Copy Canary Yellow — Mail To Customer White — To Applied Ex Office Customer Signature: Driver Signature: Total Truck Hours_ Ending Milage Travel Time **Total Tons** Delay Codes: #1 Loading #2 Unioading #5 Ifuck Breakdown #4

No. 263512 FI Export (B)

E.T. TECHNOLOGIES INC.

NCR



(801) 973-2065 HTUO2 00E1 .W 0E03 SALT LAKE VALLEY LANDFILL SOILS REGENERATION SITE E.T. TECHNOLOGIES INC.

WASTE MANIFEST

GENERATOR'S CERTIFICATION:

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Additional Descriptions or Special Handling Instructions: Gals. Lbs. Gals. Lbs. October Contaminated Gals. 28651-508 =7 PROFILE NUMBER DESCRIPTION OF WASTE MATERIALS YTITMAUO JATOT CONTAINER WASTE CODE/ WASTE TYPE CODES: G = KITCHEN SUMP K = 20IF J = SEPTIC / SEWAGE 9MUZ GRAY = 1 dwns dohs = H L = OTHER CONTAINER CODES: E = DUMP A = SUMP TRUCK F = OTHER D = BARRELS C = TANKER MAR = 8 .8 SHIPPING DESCRIPTION STAO DRIVER SIGNATURE DRIVER NAME (Please Print) TRANSPORTER COMPANY NAME Gld ment from the Waste Generators located in Section 3 above tedge, the information given in this Manitest is a true and accurate description of the waste material. I further acknowledge receipt of the shipin Section 3 of this document. No other substance or waste from any other sources are included in this shipment. To the best of my know-TRANSPORTATION CERTIFICATION: I certify that the waste load(s) listed below (Section 5) were collected from the Waste Generators listed CILL STATE *PHONE* SIP CODE GENERATOR 3 ADDRESS SIP CODE STATE **DHONE GENERATOR 2 VDDRESS** PHONE 861-424-4400 109 68 3000 diz STATE_ **SSBROOA** CENERATOR 1 WASTE GENERATOR(S) INFORMATION: . 6 DATE RECEIVED DATE SHIPPED SALT LAKE CITY, UTAH 84104

79819810-914) SCALEHOUSE INITIALS 5) (1 Tare Weight Gross Weight Met Weight SSEIO Price/Ton Signature of E.T. Representative: words : etsO THIS PORTION FOR OFFICE USE ONLY -GENERATOR 3 — Certified By: Tille Сотрапу GENERATOR 2 — Centiled By: 91111 Company Certified By: Tille Sycamorente shirt Company MAID attorney/collection tees for delinquent accounts eldenosses bas (epiovni to stab refis eyeb 05) etnuoppa eub resq lie sot (munns ten 281) danom req 2.1 to egisen stat a yeq of serge redhult i established by the Salt Lake Valley Solid Waste Management Council designated for disposal and/or re-use at the Soils Regeneration Site operated by E.T. Technologies, Inc. I agree to pay for all disposal/processing fees and special handling charges as in proper condition for transport by highway according to applicable Federal, State and Local governmental regulations. I further centify that the Waste materials described above even not and the proper condition for transport by the Urah Hazardous Waste Management Regulations and 40 C.F.R. Pan 260 & 261, as amended from time to time, and I acknowledge that said waste is

I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects

No. 263530 ET Export (B)

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rpa.

E.T. TECHNOLOGIES INC.



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5) C) VIS (1 Class Met Weight Tare Weight Gross Weight : efsQ worm Signature of E.T. Representative: THIS PORTION FOR OFFICE USE ONLY -Сотрапу GENERATOR 3 — Certified By: Company Tille GENERATOR 2 - Centiled By: Company +mapmy numbers Tille GENERATOR 1 - Centiled By afformey/collection fees for delinquena eldenosses bas (epieval to else pays alse ages of especial to the seconds (30 days after date of involve) and responsible established by the Salt Lake Valley Solid Waste Management Council in proper condition for transport by highway according to applicable Federal, State and Local governmental regulations. I further centify that the waste materials described above are not a hazardous waste a delined by the Ulah Hazardous Waste Masse Mas I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects GENERATOR'S CERTIFICATION: Additional Descriptions or Special Handling Instructions: Gals. redJ Gals. rpa. Gals. 089-81 Detaleum Contaminated Soil X 7 78381-908

SCALEHOUSE INITIALS

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No. 263518 ET Export (B)

E.T. TECHNOLOGIES INC.



6030 W. 1300 SOUTH (801) 973-2065 SALT LAKE CITY, UTAH 84104 SALT LAKE VALLEY LANDFILL SOILS REGENERATION SITE E.T. TECHNOLOGIES INC.

TRESTE MANIFEST **SUOGRAZAH-NON**

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DISPOSAL AREA

SCALEHOUSE NITIALS

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ET Export (B) No. 263510

E.T. TECHNOLOGIES INC.



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E.T. TECHNOLOGIES INC. SOILS REGENERATION SITE 6030 W. 1300 SOUTH (801) 973-2065 SALT LAKE VALLEY LANDFILL SALT LAKE CITY, UTAH 84104

NON-HAZARDOUS TESTINAM STEAW

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Lehi, Utah 84043 372 South 780 West J.L.L gnifour Trucking L.L.C.

Phone: (801) 830-7745

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This account is due and payable on the 15th of each month. If this account becomes delinquent, 15th of following month, I or we, the

PLEASE PRINT NAME

attorney's fee. judgement, until paid. That if this account is placed in the hands of an attorney for collection, with or without suit, to pay a reasonable undersigned agree to pay a FINANCE CHARGE AT THE RATE OF 2% PER MONTH WHICH IS 24% PER ANNUM, before and after

IMVe understand that loaded trucks can cause damage to concrete, landscaping, sprinkler system, and other items that may be on the property designated for delivery and I, therefore, specifically agree to hold Snap Trucking L.L.C. or its agents harmless for any damage caused by movement of the delivery vehicle while accessing or egressing the location I have designated for delivery. DELIVERY TERMS AND CONDITIONS

— ЭЯUTANÐIS ЯЗVІЯД

JOB FOREMAN'S SIGNATURE

WHITE -Snap Trucking L.L.C.

ET Export (B) No. 263533

E.T. TECHNOLOGIES INC.



WCK

2021/202

E.T. TECHNOLOGIES INC. SOILS REGENERATION SITE SALT LAKE VALLEY LANDFILL 6030 W. 1300 SOUTH (801) 973-2065 SALT LAKE CITY, UTAH 84104

NON-HAZARDOUS WASTE MANIFEST

11/1/2/2/2016

ABRA JASOGRA

SCALEHOUSE INITIALS

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White — To Applied Ex Office Canary Yellow — Mail To Customer Pink — Foreman Conty

Delay Codes: #1 Loading #2 Unloading #3 Truck Breakdown #4 Train Delay #5 Other (Explain)

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Total Truck Hours

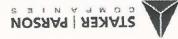
Driver Signature:

Total Tons

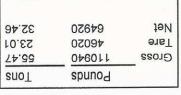
Ending Milage



Thank you for your business!









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Account	եզչ։
-	:əuoZ

Quant.: 32.46 Ton

281437 Applied Ex Inc Customer: Location: 00040-2 - Beef Hollow - Malibu Date: MAS4:62:11 12/4/2015

Order: BHAPPLIB - LIBERTY CENTER - quq dith qmud bn3 - q9qqA Vehicle:

:.jsəQ

02502 - 3" Ballast Crushed Rock Product:

Order Totals	.spec	Today		NORTH 3RD WEST PROVO	TSI
1	Fosqs:	7	rosqs:		
00.0	Ordered:	00.0	Ordered:		
32.46	Received:	90.33	Received:		
	Kalif Madala (W. 1997)			THE WAY YO	
wolloH 1e	Weighmaster: Bee		Y900 A3MOT&UD	ived:	ieoe/

IT IS THE RESPONSIBILITY OF EACH CUSTOMER, AND EACH DRIVER, TO COMPLY WITH HIGHWAY LOAD LIMIT LAWS. I REREE TO THE TERMS AND CONDITIONS ON THE BACK OF THE TICKET.

904022938

snoT	Pounds	
39.43	109300	Gross
10.62	46020	Tare
₽9.1E	63280	J 9M

Thank you for your business!



:.0.9 :dol Account Pay: :euoZ

Quant.: 31.64 Ton

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:.jsəQ Order: BHAPPLIB - LIBERTY CENTER - quq ditw qmud bn3 - 9999A Vehicle: 281437 Applied Ex Inc Customer: 00040-2 - Beef Hollow - Malibu Location: Date: 1:52:27PM 12/4/2015

COMPANIES

STAKER | PARSON

1ST NORTH 3RD WEST PROVO 02502 - 3" Ballast Crushed Rock Product:

wolloH 199	Weighmaster: Be	УЧ	CUSTOMER CO	
₽ 9.1£	Received:	64.141	Received:	
00.0	Ordered:	00.0	Ordered:	
L	Foads:	9	Loads:	
Order Totals		Тодау		H 3RD WEST PROVO

IT IS THE RESPONSIBILITY OF EACH CUSTOMER, AND EACH DRIVER, TO COMPLY WITH HIGHWAY LOAD LIMIT LAWS. I AGREE TO THE TERMS AND CONDITIONS ON THE BACK OF THE TICKET.

904022942

23.01	0209 1	Tare
88.18	03760	Net
eno⊺ 88.43	087601	Gross

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Thank you for your business!



:.O.9 :dol Account Pay: :euoZ

CUSTOMER COPY

NOSAA9 BENETA

Received:

Product.	4 110 00300	500m j
Dest.:		66X9001 CV
Order:	J - 81J99AH8	LIBERTY CENTER
Vehicle:	APP6P - End	- quq dith Pup -
Customer:	24437 Appl	olied Ex Inc
Location:	00040-2 - Bee	udilsM - wolloH 199
Date:	12/4/2015	Mqe0:72:8

Order Totals 0.00 31.88	Loads: Ordered: Received:	O Ordered: 0.00			
		u	Disp.: Quanta: 31.88 To	Product: 02502 - 3" Ballast Crushed Rock	

НАТ**U** Авекевате Яесуссіив

Physical Address:

1675 Beck Street Salt Lake City, Utah 84116

Billing Address:

M. Salt Lake, Utah 84054 PO Box 540009

MATERIAL TICKET PICKET



Ph: 801-979-6658 Fax: 801-521-2313

<i>өт</i> іТ			Loaded By
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<u> </u>		KD EX	N99A





P.O. Box 572476

Phone 801-521-2312 Fax 521-2313

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Transport □	Side End Dump	⁄ : นุ฿ฺเฺឣ □ dɯn	□ Low Side End Du	en Wheeler	Γ λ :∍αγ Γ	Truck
səsoh/s:	irking Brake Dut:	eld/Wipers Pe	quipment \(\times \) Windshig Devic	ic Oil ⊡Coolant Level Id Flaps	teering Mula Backup Ala	SI
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у ІҒ ОКау				sect the Following Items		
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	0107.170.9					

White — To Applied Ex Office Link – Foreman Copy Canary Yellow — Mail To Customer Customer Signature: Driver Signature: Ending Mildge Travel Time Total Truck Hours Total Tons

HATU AGGREGATE 3231 BULDYD39

Physical Address:

Billing Address:

1675 Beck Street Salt Lake City, Utah 84116

Ы. Salt Lake, Utah 84054 РО Вох 540009

MATERIAL TICKET



Ph: 801-521-2313

30,82+ Material

(Please Specify)

Trucking Co. / Picked up by Please include phone #

Customer Name (please print)

000019

909-T

License or Truck #

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Dump/Truck & Pup

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51-6-21			MI
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lio2 qoT □

□ 3/4" Minus Gravel

AfA auniM "€ 🛚

Copple (3"- 4")

☐ 1/2" Minus Roadbase

904055939 Back-Up for Import of Cobble

Thank you for your business!



Picked Up



suoT	spunod	_
Sp.88	116900	Gross
17.92	23420	Tare
27.15	63480	J9N

:dol Account Ьэу: :euoZ

BHAPPLIB - LIBERTY CENTER - quq Mith Pup - 9799A 281437 Applied Ex Inc 00040-2 - Beef Hollow - Malibu 12:00:47PM 12/4/2015

Vehicle: Customer: Locations Date:

Order:

Dest.:

Product:

12/4/2015

IT IS THE RESPONSIBILITY OF EACH CUSTOMER AND EACH O

SHINAGMO

STAKER PARSON

Weighmaster: Beef Hollow CUSTOMER COPY A7.18 Received: **PT.38** Received: 00.0 Ordered: 00.0 Ordered: Loads: 3 roads: Order Totals Today 1ST NORTH 3RD WEST PROVO Quant.: 31,74 Ton 02502 - 3" Ballast Crushed Rock

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904022940

08689

23420

117400

spunod

31.99

17.92

07.83

suol

Picked Up

Thank you for your business!

:.qsiQ

:.0.9 :dol Account Pay: : **auo7**

noT 69.18 :: JnsuD

BHAPPLIB - LIBERTY CENTER - quq ditw qmud bn3 - 9799A 281437 Applied Ex Inc 00040-2 - Beef Hollow - Malibu

2:10:02PM

Order: Vehicle:

Customer:

Locations

Date:

Received:

:.jsəQ

02502 - 3" Ballast Crushed Rock Product:

Received: **CUSTOMER COPY** Weighmaster: Beef Hollow Received: 173.48 Received: 31.99 00.0 Ordered: 00.0 Ordered: Loads: Coads: 1ST NORTH 3RD WEST PROVO Today Order Totals

IT IS THE RESPONSIBILITY OF EACH CUSTOMER, AND EACH DRIVER, TO COMPLY WITH HIGHWAY LOAD LIMIT LAWS. I AGREE TO THE TERMS AND CONDITIONS ON THE BACK OF THE TICKET.

904022943

07989

23450

117060

Pounds

Picked Up

31.82

17.92

58.83

suoT



J9N

Tare

Gross

Thank you for your business!

noT 28.15 :: JnsuD

Account

00040-2 - Beef Hollow - Malibu

12/4/2015 BINAGMO STAKER | PARSON Date:

Customer: Location

BHAPPLIB - LIBERTY CENTER Order: - quq ditw qmud bn3 - 9799A Vehicle:

Dest ::

02502 - 3" Ballast Crushed Rock Product:

281437 Applied Ex Inc

3:52:51PM

Received: Weighmaster: Beef Hollow CUSTOMER COPY 31.82 Received: 28.652 Received: 00.0 Ordered: 00.0 Ordered: coads: гозда: 1ST NORTH 3RD WEST PROVO Today Order Totals

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:dol

Pay:

: auo7

IT IS THE RESPONSIBILITY OF EACH CUSTOMER, AND EACH DRIVER, TO COMPLY WITH HIGHWAY LOAD LIMIT LAWS. I AGREE TO THE TERMS AND CONDITIONS ON THE BACK OF THE TICKET.



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Delay	Dump Time	suo <u>T</u>	Ticket #	Material	SmiT bsod	Гоза
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ob Name: Liberth Chriter Job Address:						
Customer Name:						
- NON - TUE - WED THUR - SAT DATE: 17-4-15						
□ Transport	dmud bn3 əbi	g d§iH □ dmi	Fow Side End Du	en Wheeler Pup	[ype: □1	Truck
Engine Oil THydraulic Oil 4 Coolant Level 4 Turn Signals 4 Itights their Leaks 1 Brakes 4 Horses 4 Mirrors 4 Backup Alams 1 Itie Pressure 4 Coupling Devices 4 Wheels Rims/Lugs INT:						
Driver Must Inspect the Following Items Prior to Driving This Commercial Vehicle. Check the Box If Okay						
	(əmiT) teu(bA sə)	K# 4 Brak	lonsIruc	/22/77 Fuel Gal	_ə§səliM gni	Beginn
P.O. Box 572476 APPLIED EX INC. Phone 801-521-2312 Hoursy, Utah 84157						

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Delay Codes: #1 Loading #2 Unloading #3 Truck Breakdown #4 Train Delay #5 Other (Explain)

RECYCLING 3201 AGGREGATE HATU

Salt Lake City, Utah 84116 1675 Beck Street Physical Address:

N. Salt Lake, Utah 84054 PO Box 540009 Billing Address:

<u> әшіТ</u>

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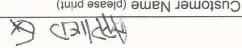
PICK-UP TICKET **JAIRITAM**



Fax: 801-521-2313 Ph: 801-979-6658

Loaded By

Driver (print name)



Material Cobble (3"- 4") Alama Minus Min	# YLL cense or Truck #
(+68.91)	Trucking Co. / Picked up by Please include phone # ————————————————————————————————————
	(annot account)

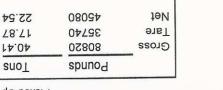
	Kenn Michel
Date	อาเบอเ ไรเยาลับเกือ
5145-61	Mark
SCR Filing Number	Job Name, P.O. and Address or
erty Center	JU 25/
(Please Specify)	Dump/Truck & Pup
□ Other	End or Side
lio≳ qoT □	☐ Bobtail ☐ 10 Wheeler
3/4" Minus Gravel	Load Size
1/2" Minus Roadbase	.0
AfA suniM "&	License or Truck #
Copple (3"- 4")	# 30112_30 00000;1
Material	1 / ++ ·
+68.91)	Please include phone #
2011	Trucking Co. / Picked up by

904022933 Back-Up for Import of

Thank you for your business!

6 B I N Y 4 W D STAKER PARSON

Picked Up



	:.O.9
	:dol
Account	Рау:
-	:enoZ

:.qsiQ

Quant.: 22.54 Ton

00040-2 - Beef Hollow - Malibu MA72:88:11 12/4/2015

Customer: Location: Date:

- Gemi End Dump -281437 Applied Ex Inc

Order: Vehicle:

BHAPPLIB - LIBERTY CENTER

Dest ::

02502 - 3" Ballast Crushed Rock Product:

1	Weighmaster: Beef Hollow		CUSTOMER COPY	ecejved:
0.00 22.54	Loads: Ordered: Received:	0.00	Loads: ,	
Totals		Today		OVOA9 TSEW GAE HTAON TS!

IT IS THE RESPONSIBILITY OF EACH CUSTOMER, AND EACH DRIVER, TO COMPLY WITH HIGHWAY LOAD LIMIT LAWS. I AGREE TO THE TERMS AND CONDITIONS ON THE BACK OF THE TICKET.

904022937

Picked Up

<u> </u>		
11.62	46220	JəN
78.71	32740	Tare
86.04	09618	Gross
suoT	Pounds	

Thank you for your business!

:.qsiQ

:.O.9

:dol Pay: Account :auoz

BHAPPLIB - LIBERTY CENTER - Gemi End Dump -281437 Applied Ex Inc 00040-2 - Beef Hollow - Malibu 1:31:36PM 12/4/2015

Order: Vehicle: Customer:

Location:

Received:

Date:

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Received:

02502 - 3" Ballast Crushed Rock Product:

> SBINVAWOO STAKER PARSON

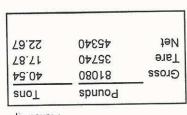
CUSTOMER COPY Weighmaster: Beef Hollow Received: 38.601 Received: 23.11 Ordered: Ordered: 00.0 00.0 Loads: rosqs: 1ST NORTH 3RD WEST PROVO Today Order Totals

Quant : 23.11 Ton

IT IS THE RESPONSIBILITY OF EACH CUSTOMER, AND EACH DRIVER, TO COMPLY WITH HIGHWAY LOAD LIMIT LAWS. I AGREE TO THE TERMS AND CONDITIONS ON THE BACK OF THE TICKET.

146220406

Picked Up



Thank you for your business!

:.qsiQ :.0.9 10p: Рау: Account :əuoz

Quant.: 22,67 Ton

SHINYHWO STAKER | PARSON

281437 Applied Ex Inc Customer: 00040-2 - Beef Hollow - Malibu Location: Date: 12/4/2015 M981:70:6

Order: BHAPPLIB - LIBERTY CENTER - gmud bna imae - 499A ∀ehicle:

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ast Crushed Rock	02502 - 3" Ball	Product:
	ast Crushed Rock	02502 - 3" Ballast Crushed Rock

Geceived:	CUSTOMER CO	Yq	Weighmaster: B	wolloH 1999
	Loads: Ordered: Received:	7 00.0 7	Loads: Ordered: Received:	70.00 70.52
1ST NORTH 3RD WEST PROVO		Today		Order Totals



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	251-2313 801-621-2312		PLIED EX II	P.O. Box 572476 Nurray, Utah 84157	M	

	Pink — Foreman Copy	Canary Yellow — Mail To Customer	White — To Applied Ex Office	
	ature:	ngi2 nəvinO		Customer Signature:
metro	Fugure Minage	snoi latoi	- Travel Time	Total Truck Hours

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Evans Grader & Paving 801-377-9999



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х ІГ Окау	le. Check the Bo	Sommercial Vehic	Prior to Driving This (ect the Following Items	iver Must Insp	υDr
	_(əmiT) teu[bA eə	ck# Prak	nı <u>ı </u>	182313, Fuel Gal	əğsəliM grin	Begin
	801-521-2312 801-521-2312	INC Lyoue	PPLIED EX	P.O. Box 572476 72198 Alah 94157		

Total Tons

Travel Time

Total Truck Hours

Ending Milage

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SS: 180 New the Server		(6.53	
PROJECT INFO Date: Project Name: Project Address: City: Superintendent:		H .	
BILLING INFO Bit is Address: Lote Miseck Strong St	MATERIAL 1/4" MINUS PIPE BED 1/4" MINUS PIPE BED 1/4" NON SPEC ROAD BASE 1/4" NOCK 1/	DRIVER'S INFO Driver's Cell: 385-695-8 HS Truck Company: 51ate: 528 6 Pup Side Dump Belly Dump	Double Belly Other: NO COMPENSATION MADE FOR MOISTURE This Form Must Be Completed For Each Load

Evans Grader & Paving 801-377-9999

Back-Up for Import of Cobble



Murray, Utah 84167 APPLIED EX INC.

Fax 521-2313 Phone 801-521-2312

P.O. Box 572476

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Brake Relts/Hoses	gnals ⊔Llghts □Air Leaks indshield/Wipers □Parking g Devices □Wheels/Rims/L	ergency Equipment DWI	CINION LIGHS DEM	Simpore
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□ Transport	dmud bna ebić	dmu □ dmu o	□ Low Side End	len Wheeler □ Pup	Type:	Truck
Horns □Mirrors Its/Hoses	rking Brake	neld/Wipers Pa	ispuim luəwdin	ic Oil □Coolant Level □I td Flaps □Emergency Eq arm □Tires □Tire Pressu	TIME SILLIPANCE	əni§n∃□

Pink - Foreman Copy White — To Applied Ex Office Canary Yellow — Mail To Customer Driver Signature: Customer Signature: Ending Milage _ Total Tons____ Travel Time Total Truck Hours Delay Codes: #1 Loading #2 Unloading #3 Truck Breakdown #4 Train Delay #5 Other (Explain)

PROJECT INFO

IRONTON PIT PRODUCTS

BILLING INFO

BILLO: HANKED OX	Date: (2-3-15
Address: Lefel W. Reck St	Project Name: Liberty Center
City: North Sall LARC zip:	Project Address: 100 N. 300 W.
Phone: 501-254-01091	City: Zip:
Contact: Exina Burton	Superintendent:
Email:	
MATERIAL	10.65 - 39.01
%"-%" ROCK	
%" NON SPEC ROAD BASE %"-2" DRAIN ROCK	
3" MINUS FILL 6" MINUS FILL	
Z" - 4" ROCK 6"-12" ROCK	
2" – 6" DRAIN ROCK 12"-18" ROCK	
TOPSOIL 18"-36" ROCK	
PEA GRAVEL SLAG	
OTHERSAND	
DRIVER'S INFO	
Driver's Name: Mrkgel Lyn	
Driver's Cell: 801 - 557- 7014	

Evans Grader & Paving 801-377-9999

Truck Type: Dump Dump & Pup Side Dump Belly Dump

Double Belly Other:

NO COMPENSATION MADE FOR MOISTURE This Form Must Be Completed For Each Load

State:

Truck Company: _

Truck License #

E.T Technologies 3110 West California Ave Ste D

Salt Lake City, UT 84104

Voice: 801-977-0731 Fax: 801-977-0741

Testing for Contaminated Soils Invoice

Invoice Number: 4705

Invoice Date: Dec 15, 2015

Page:

Duplicate

Bill To: Ship to:

Applied EX PO Box 540009 North Salt Lake, UT 84054

Applied EX PO Box 540009 North Salt Lake, UT 84054

	CustomerID	Customer PO	Payment Terms		
-[AP112 - 95-944		Net 30	Days	
	Sales Rep ID	Shipping Method	Ship Date	Due Date	
		95-944		1/14/16	

Quantity	Item	Description	Unit Price	Amount
		11/20/15 - Samples collected at 100 North		
		300 West		
	•			
4.00		Project Manager	90.00	360.00
1.00		2 Samples - Collecting and Analysis	1,800.00	1,800.00
		O. Idada		0.400.00
		Subtotal		2,160.00
	PAYMENT OPTION:	Sales Tax		
	mith - 303-680-9414	Total Invoice Amount		2,160.00
3% charge will	be added to total invoice	Payment/Credit Applied		
		TOTAL		2,160.00

Ralph L Wadsworth Construction

166 E 14000 S Ste 200 Draper, UT 84020

20-Jan-16



CO # 17 delay / standby due to soils contamination

	qty	uom		\$ / uom	cost
standby for soils contamination	1	LS	\$	33,261.44	\$ 33,261.44
			Tot	al CO # 11	\$ 33,261.44

ACCEPTED:		
	Kier Construction	
DATE:		
RLW approval:		
	RLW Construction	
DATE:		

	Nov 10 - Dec 9 = 30	calendar o	days			
equipment	QTY	UOM		\$/unit		ext cost
crane	30	days	\$	338.36	\$	10,150.80
discount for Mandala's usage	-1	ls	\$	1,956.73	\$	(1,956.73
Forklift usage	24	hrs	\$	45.00	\$	1,080.00
Trailer usage	160	hrs	\$	1.00	\$	160.00
warehouse lift usage	0	hrs	\$	6.50	\$	100 to
gang panels	30	days	\$	22.26	\$	667.80
column clamps	30	days	\$	6.41	\$	192.33
		total	equip	oment costs	\$	10,294.20
				10% profit		\$1,029.64
	tota	il equipme	nt cha	arges for CO	\$	11,323.84
	* Mobilization cost	4.3				
Mobilization Costs	1.0	mon	\$	19,943.27	\$	19,943.27
		total r	nobili	zation costs	\$	19,943.27
		10% profit				\$1,994.33
<u>. </u>	total	mobilizatio	on cha	rges for CO	\$	21,937.60
TOTAL R	ELATED COS	STS			\$	33,261.44
	* Mobilization cost	- 1.2 mon	ths			
Allen Hanson	22	days	\$	509.90	\$	11,217.80
Truck	22	days	\$	72.00	\$	1,584.00
oel Eberhard	11	days	\$	576.77	\$	6,344.47
/ehicle	11	days	\$	52.00	\$	572.00
phone	30	days	\$	7.50	\$	225.00
		total mobilization costs				19,943.2
				10% profit		\$1,994.3
	100000000000000000000000000000000000000	B. 181		rges for CO	*	21,937.6

TY 30 -1 24 60	days Is hrs	\$ \$ \$ \$	\$ / unit 338.36 1,956.73 45.00	\$ \$ \$	ext cost 10,150.80 (1,956.73
- <mark>1</mark> 24 60	ls hrs hrs	\$ \$	1,956.73 45.00	\$	(1,956.73
24 60	hrs hrs	\$	45.00	\$	
60	hrs			\$	
871858 201		\$			1,080.00
0	1		1.00	\$	160.00
	hrs	\$	6.50	\$,≅0/
30	days	\$	22.26	\$	667.80
30	days	\$	6.41	\$	192.33
	total	equip	ment costs	\$	10,294.20
			10% profit		\$1,029.64
total	l equipme	nt cha	orges for CO	\$	11,323.84
n cost	- 1.2 mon	ths			
.0	mon	\$	19,943.27	\$	19,943.27
	total n	nobili	zation costs	\$	19,943.27
			10% profit		\$1,994.33
total r	nobilizatio	n cha	rges for CO	\$	21,937.60
n	total	total total equipme cost - 1.2 mon mon total n	total equipment characteristics total equipment characteristics and cost - 1.2 months n cost - 1.2 months n cost - 1.2 months total mobilization characteristics	total equipment costs 10% profit total equipment charges for CO n cost - 1.2 months 0 mon \$ 19,943.27 total mobilization costs 10% profit total mobilization charges for CO	total equipment costs \$ 10% profit total equipment charges for CO \$ n cost - 1.2 months 0 mon \$ 19,943.27 \$ total mobilization costs \$ 10% profit total mobilization charges for CO \$

Invoice

DATE	INVOICE #
10/26/2015	62205

BRONSON CRANE

P.O. Box 2048 West Jordan, UT 84084 801-963-7850 Fax: 801-963-7654

BILL TO

Ralph L. Wadsworth Construction 166 East 14000 South, Suite 200 Draper, UT 84020

TERMS	NAME/PROJECT
Net 30	Liberty Center

			become product	,			
ITEM	DESCRIPTION	QT	Y ngaj ka ja kragitaska	RATE	Note = 4500 to 101 -	NUOMA	NT
2143R	Crane Rent 10-26-15 Through 11-25-15 Sales Tax 2/0, 750.75 - 40 NL 400RS USED & TRACKE DURING TITE STANDE DEDUCTED FROM TITE A RATE OF \$412.30	DAYS DAYS TIME DAI	= 45 = 30 = 14	3,56/H 3,56/H 4,2.30 4NDALI WILL P.	00.00 85% () / D.s. / H	9,500.00 650	0.75
		T	Total				

Total

\$10,150.75

we	eek	mandala	8 hour day	unutilized
10-Nov	15-Nov	9.586	32	22.414
16-Nov	22-Nov	6.250	40	33.75
23-Nov	29-Nov	0.5	40	39.5
30-Nov	6-Dec	8.579	40	31.421
7-Dec	13-Dec	7.498	40	32.502
14-Dec	15-Dec	1	16	15
	hours	33.413	208	174.587
		16.06%	percent used	83.94%
		hourly \$	\$ 58.562	
		hours	33.413	
	Mandala	's usage cost	\$ 1,956.73	

Jobs: 15019- - 15019-

All Months

Phases: 3339035.001 - 3339035.001 Cost Types: 8 - 8
Dates: 11/10/15 - 12/15/15 All JC Transaction Types All Depa

Units: Actual

All Departments

Posted Actual Trans

		Posted	Actual	Trans	1				
Mth	Trans#	Date	Date	Type	Source	Description	Units	Hours	Cost
				NAME OF TAXABLE PARTY.		15019- Liberty Center			TALLER CO. MINISTRA
333	9035.001		Equipmen	t Use	8 EQUIP				
	4423	11/11/15	11/02/15		EMRev	10.114 09 Big Tex Utility Trailer / Equipment Usage / 470 / Rev Code: 1Hourly	0.000	8.00	8.00
11/15	4424	11/11/15	11/02/15	EM	EMRev	23.021 15 CAT TL943C / Equipment Usage / 471 / Rev Code: 1Hourly	0.000	3.00	135.00
11/15	4425	11/11/15	11/03/15	EM	EMRev	10.114 09 Big Tex Utility Trailer / Equipment Usage / 475 / Rev Code: 1Hourly	0.000	8.00	8.00
11/15	4426	11/11/15	11/03/15	EM	EMRev	23.021 15 CAT TL943C / Equipment Usage / 476 / Rev Code: 1Hourly	0.000	3.00	135.00
11/15	4427	11/11/15	11/04/15	EM	EMRev	10.114 09 Big Tex Utility Trailer / Equipment Usage / 480 / Rev Code: 1Hourly	0.000	8.00	8.00
11/15	4428	11/11/15	11/04/15	EM	EMRev	23.021 15 CAT TL943C / Equipment Usage / 481 / Rev Code: 1Hourly	0.000	3.00	135.00
11/15	4429	11/11/15	11/05/15	EM	EMRev	10.114 09 Big Tex Utility Trailer / Equipment Usage / 485 / Rev Code: 1Hourly	0.000	8.00	8.00
11/15	4430	11/11/15	11/05/15	EM	EMRev	23.021 15 CAT TL943C / Equipment Usage / 486 / Rev Code: 1Hourly	0.000	3.00	135.00
11/15	4431	11/11/15	11/06/15	EM	EMRev	10.114 09 Big Tex Utility Trailer / Equipment Usage / 489 / Rev Code: 1Hourly	0.000	8.00	8.00
11/15	4432	11/11/15	11/06/15	EM	EMRev	23.021 15 CAT TL943C / Equipment Usage / 490 / Rev Code: 1Hourly	0.000	1.00	45.00
11/15	12445	11/16/15	11/08/15	PE	JC Progres	No Description Entered	0.229	0.00	0.00
11/15	12729	11/16/15	11/15/15	PE	JC Progres	No Description Entered	0.229	0.00	0.00
	18773		11/09/15		EMRev	23.021 15 CAT TL943C / Equipment Usage / 962 /	0.000	2.00	90.00
11110	10110	11/10/10	11/00/10		LIVITOV	Rev Code: 1Hourly	0.000	2.00	90.00
11/15	18774	11/18/15	11/10/15	EM	EMRev	23.021 15 CAT TL943C / Equipment Usage / 963 / Rev Code: 1Hourly	0.000	2.00	90.00
11/15	18775	11/18/15	11/11/15	EM	EMRev	23.021 15 CAT TL943C / Equipment Usage / 964 / Rev Code: 1Hourly	0.000	2.00	90.00
11/15	18776	11/18/15	11/12/15	EM	EMRev	23.021 15 CAT TL943C / Equipment Usage / 965 / Rev Code: 1Hourly	0.000	2.00	90.00
11/15	18777	11/18/15	11/13/15	EM	EMRev	10.114 09 Big Tex Utility Trailer / Equipment Usage / 908 / Rev Code: 1Hourly	0.000	8.00	8.00
11/15	18778	11/18/15	11/13/15	EM	EMRev	23.021 15 CAT TL943C / Equipment Usage / 966 / Rev Code: 1Hourly	0.000	3.00	135.00
11/15	29094	11/23/15	11/16/15	Hills 9	EMRev	10.114 09 Big Tex Utility Trailer / Equipment Usage / 1495 / Rev Code: 1Hourly	0.000	8.00	8.00
11/15	29095		11/16/15		EMRev	23.021 15 CAT TL943C / Equipment Usage / 1549 / Rev Code: 1Hourly	0.000	1.00	45.00
	29096		11/17/15	AND DESCRIPTION	EMRev	10.114 09 Big Tex Utility Trailer / Equipment Usage / 1496 / Rev Code: 1Hourly	0.000	8.00	8.00
11/15			11/17/15		EMRev	23.021 15 CAT TL943C / Equipment Usage / 1550 / Rev Code: 1Hourly	0.000	1.00	45.00
11/15			11/18/15		EMRev	10.114 09 Big Tex Utility Trailer / Equipment Usage / 1497 / Rev Code: 1Hourly	0.000	8.00	8.00
11/15			11/18/15 E		EMRev	23.021 15 CAT TL943C / Equipment Usage / 1551 / Rev Code: 1Hourly	0.000	1.00	45.00
11/15		town-day town		MV AND DES	EMRev	10.114 09 Big Tex Utility Trailer / Equipment Usage / 1498 / Rev Code: 1Hourly	0.000	8.00	8.00
11/15			11/19/15 E	TTIS.	EMRev	23.021 15 CAT TL943C / Equipment Usage / 1552 / Rev Code: 1Hourly	0.000	1.00	45.00
11/15	29102	11/23/15	11/20/15 E	EM	EMRev	10.114 09 Big Tex Utility Trailer / Equipment Usage / 1499 / Rev Code: 1Hourly	0.000	8.00	8.00

6 Ralph L. Wadsworth Construction Company, LLC Date Format - MM/DD/YY

Page 1

01/15/16 04:12:42 PM _____JCDetail.rpt_

Jobs: 15019- - 15019-All Months

Phases: 3339035.001 - 3339035.001

Cost Types: 8 - 8

Units: Actual

Dates: 11/10/15 - 12/15/15

		Posted	Actual	Trans					
Mth	Trans#	Date	Date		Source	Description	Units	Hours	Cost
			NO CONTRACTOR S			15019- Liberty Center - Continued	alacine vedinom per ultro- om ev	CONTRACTOR OF THE STATE OF THE	Section Conference and Constitution and Section 1
11/15	29103	11/23/15	11/20/15	EM	EMRev	23.021 15 CAT TL943C / Equipment Usage / 1553 / Rev Code: 1Hourly	0.000	1.00	45.00
11/15	38656	11/30/15	11/22/15	PE	JC Progres		0.229	0.00	0.00
11/15	41640	12/01/15	11/23/15	EM	EMRev	10.114 09 Big Tex Utility Trailer / Equipment Usage / 2258 / Rev Code: 1Hourly	0.000	8.00	8.00
11/15	41641	12/01/15	11/23/15	EM	EMRev	23.021 15 CAT TL943C / Equipment Usage / 2259 / Rev Code: 1Hourly	0.000	1.00	45.00
11/15	41642	12/01/15	11/24/15	EM	EMRev	10.114 09 Big Tex Utility Trailer / Equipment Usage / 2264 / Rev Code: 1Hourly	0.000	8.00	8.00
11/15	41643	12/01/15	11/24/15	EM	EMRev	23.021 15 CAT TL943C / Equipment Usage / 2265 / Rev Code: 1Hourly	0.000	2.00	90.00
11/15	41644	12/01/15	11/25/15	EM	EMRev	10.114 09 Big Tex Utility Trailer / Equipment Usage / 2268 / Rev Code: 1Hourly	0.000	8.00	8.00
11/15	41645	12/01/15	11/25/15	EM	EMRev	23.021 15 CAT TL943C / Equipment Usage / 2269 / Rev Code: 1Hourly	0.000	2.00	90.00
11/15	41646	12/01/15	11/26/15	EM	EMRev	10.114 09 Big Tex Utility Trailer / Equipment Usage / 2272 / Rev Code: 1Hourly	0.000	8.00	8.00
11/15	41647	12/01/15	11/27/15	EM	EMRev	10.114 09 Big Tex Utility Trailer / Equipment Usage / 2275 / Rev Code: 1Hourly	0.000	8.00	8.00
11/15	51473	12/04/15	11/29/15	PE	JC Progres	No Description Entered	0.229	0.00	0.00
11/15	75793	12/09/15	11/30/15	EM	EMRev	10.114 09 Big Tex Utility Trailer / Equipment Usage / 2502 / Rev Code: 1Hourly	0.000	8.00	8.00
12/15	5090	12/09/15	12/01/15	EM	EMRev	10.114 09 Big Tex Utility Trailer / Equipment Usage / 342 / Rev Code: 1Hourly	0.000	8.00	8.00
12/15	5091	12/09/15	12/02/15	EM	EMRev	10.114 09 Big Tex Utility Trailer / Equipment Usage / 346 / Rev Code: 1Hourly	0.000	8.00	8.00
12/15	5092	12/09/15	12/03/15	EM	EMRev	10.114 09 Big Tex Utility Trailer / Equipment Usage / 350 / Rev Code: 1Hourly	0.000	8.00	8.00
12/15	5093	12/09/15	12/03/15	in .	EMRev	23.021 15 CAT TL943C / Equipment Usage / 351 / Rev Code: 1Hourly	0.000	1.00	45.00
12/15	5094	12/09/15	12/04/15	EM	EMRev	10.114 09 Big Tex Utility Trailer / Equipment Usage / 355 / Rev Code: 1Hourly	0.000	8.00	8.00
	17568	12/14/15	12/06/15		JC Progres	No Description Entered	0.229	0.00	0.00
	18459		12/13/15	AND DESCRIPTION OF THE PERSON		No Description Entered	0.229	0.00	0.00
	19344		12/07/15	50	EMRev	10.114 09 Big Tex Utility Trailer / Equipment Usage / 920 / Rev Code: 1Hourly	0.000	8.00	8.00
12/15			12/07/15		EMRev	23.021 15 CAT TL943C / Equipment Usage / 921 / Rev Code: 1Hourly	0.000	1.00	45.00
12/15		12/15/15	12/08/15	ESENIO	EMRev	10.114 09 Big Tex Utility Trailer / Equipment Usage / 924 / Rev Code: 1Hourly	0.000	8.00	8.00
12/15		12/15/15			EMRev	23.021 15 CAT TL943C / Equipment Usage / 925 / Rev Code: 1Hourly	0.000	1.00	45.00
12/15		9	12/09/15		EMRev	10.114 09 Big Tex Utility Trailer / Equipment Usage / 928 / Rev Code: 1Hourly	0.000	8.00	8.00
12/15		12/15/15	12/09/15	EM I	EMRev	23.021 15 CAT TL943C / Equipment Usage / 929 / Rev Code: 1Hourly	0.000	1.00	45.00
12/15			12/10/15		EMRev	10.114 09 Big Tex Utility Trailer / Equipment Usage / 932 / Rev Code: 1Hourly	0.000	8.00	8.00
12/15	19351		1 <mark>2/10/15</mark>			23.021 15 CAT TL943C / Equipment Usage / 933 / Rev Code: 1Hourly	0.000	1.00	45.00
12/15	19352	12/15/15	12/11/15	EM E	EMRev	10.114 09 Big Tex Utility Trailer / Equipment Usage / 936 / Rev Code: 1Hourly	0.000	8.00	8.00

Jobs: 15019- - 15019-

Dates: 11/10/15 - 12/15/15

Phases: 3339035.001 - 3339035.001

3339035.001 Cost Types: 8 - 8 All JC Transaction Types All Depa

Units: Actual

All Departments

Posted Actual Trans

All Months

Mth	Trans#	Date	Date	Type	Source	Description	Units	Hours	Cost
						15019- Liberty Center - Continued			
12/15	19353	12/15/15	12/11/15	EM	EMRev	23.021 15 CAT TL943C / Equipment Usage / 937 / Rev Code: 1Hourly	0.000	1.00	45.00
						Total for Cost Type: 8	1.374	248.00	2,008.00
						Total For Phase: 3339035.001		248.00	2,008.00
						Total For Job: 15019-		248.00	2,008.00
						Total For Company:6		248.00	2,008.00



Shor Company 4446 West 1730 South Salt Lake City, Utah 84104

Telephone: (801) 487-1656 (801) 487-1650 Fax:

(Good for 30 Days)

RL WADSWORTH CONSTRUCTION

Attn: Joel

Fax:

Project: Forming

Date: January 5, 2016

Quote # 160105

We Propose To Furnish the Following Material:

RENTAL:

Gang forms for concrete walls utilizing walers, strong backs, walkway Brackets on one side, she bolts or Taper ties & connecting hardware. (Enough material to do 34' of wall 12' tall)

\$625/30 days \$ 20.33 /DAY

8"- 24" Gates Lok-Fast column clamp (w/ squaring corners, 24 column clamps)

\$180/30 days \$6.00/ DAY

PLUS TAX

64 DAYS = 2 MONTHS & 4 DAYS

Paras

COLUMN CLAMPS # 410,30
TOTAL \$ 1,834.95

Notice: A charge of 2% of value will be assessed if forms are not returned cleaned and oiled. Form plywood faces and steel rails require cleaning by brushing with a wire brush or rubbing with a burlap cloth to remove concrete buildup.

STATE SALES TAX: TO BE PAID BY CONTRACTOR F.O.B.: FOR-SHOR'S YARD SLC UT. FREIGHT PAID BY CONTRACTOR

TERMS: Net 30 Attachments: NO

Sincerely,

James Kearl

Design, Draftsman

















Jobs: 15019- - 15019-

Phases: 0110000.001- 0110000.001

Units: Actual

All Months

0110000.001 Cost Types: 3 - 8
All JC Transaction Types All Departments Dates: 11/09/15 - 11/15/15

N/I6h	Tropo#	Posted Date	Actual Date	Trans		Description	l laita	Usons	04
Mth	Trans#	Date	Date	Type	Source	Description	Units	Hours	Cost
	2000 004		D . !			15019- Liberty Center			
	0 000.001 1379		11/01/15		ent - Offsite	No Description Entered	0.229	0.00	0.00
11/15			11/02/15		PR Entry	1/100 1.00 / 307 / Eberhard , Joel Craig90 Payroll	0.000	0.00	138.86
11/10	0740	11/11/10	11102/10	111	i is Life	Taxes & Burden	0.000	0.00	150.00
11/15	9744	11/11/15	11/02/15	PR	PR Entry	1/100 1.00 / 307 / Eberhard , Joel Craig95 Payroll Tax & Burden	0.000	0.00	106.14
11/15	9745	11/11/15	11/03/15	PR	PR Entry	1/100 1.00 / 307 / Eberhard , Joel Craig90 Payroll Taxes & Burden	0.000	0.00	138.86
11/15	9746	11/11/15	11/03/15	PR	PR Entry	1/100 1.00 / 307 / Eberhard , Joel Craig95 Payroll Tax & Burden	0.000	0.00	106.14
11/15	9747	11/11/15	11/04/15	PR	PR Entry	1/100 1.00 / 307 / Eberhard , Joel Craig90 Payroll Taxes & Burden	0.000	0.00	138.86
11/15	9748	11/11/15	11/04/15	PR	PR Entry	1/100 1.00 / 307 / Eberhard , Joel Craig95 Payroll Tax & Burden	0.000	0.00	106.14
11/15	9749	11/11/15	11/05/15	PR	PR Entry	1/100 1.00 / 307 / Eberhard , Joel Craig90 Payroll Taxes & Burden	0.000	0.00	138.86
11/15	9750	11/11/15	11/05/15	PR	PR Entry	1/100 1.00 / 307 / Eberhard , Joel Craig95 Payroll Tax & Burden	0.000	0.00	106.13
						Total for Cost Type: 3	0.229	0.00	979.99
0110	000.001	ı	Project Ma	nagem	ent - Offsite	5 LABOR			
11/15	1380		11/01/15			No Description Entered	0.229	0.00	0.00
11/15	9751	11/11/15	11/02/15	PR	PR Entry	1/100 1.00 / 307 / Eberhard , Joel Craig1 LABOR	0.000	10.00	475.96
11/15	9752	11/11/15	11/03/15	PR	PR Entry	1/100 1.00 / 307 / Eberhard , Joel Craig1 LABOR	0.000	10.00	475.96
11/15	9753	11/11/15	11/04/15	PR	PR Entry	1/100 1.00 / 307 / Eberhard , Joel Craig1 LABOR	0.000	10.00	475.96
11/15	9754	11/11/15	11/05/15	PR	PR Entry	1/100 1.00 / 307 / Eberhard , Joel Craig1 LABOR	0.000	10.00	475.96
						Total for Cost Type: 5	0.229	40.00	1,903.84
	000.001	F	Project Ma	nageme	ent - Offsite				
11/15	1381	11/09/15	11/01/15	PE	JC Progres	No Description Entered	0.229	0.00	0.00
11/15	4411	11/11/15	11/02/15	EM	EMRev	99.9002 AA Joel Eberhard / Equipment Usage / 472 / Rev Code: 1Hourly	0.000	10.00	65.00
11/15	4412	11/11/15	11/03/15	EM	EMRev	99.9002 AA Joel Eberhard / Equipment Usage / 477 / Rev Code: 1Hourly	0.000	10.00	65.00
11/15	4413	11/11/15	11/04/15	EM	EMRev	99.9002 AA Joel Eberhard / Equipment Usage / 482 / Rev Code: 1Hourly	0.000	10.00	65.00
11/15	4414	11/11/15	11/05/15	EM	EMRev	99.9002 AA Joel Eberhard / Equipment Usage / 487 / Rev Code: 1Hourly	0.000	10.00	65.00
						Total for Cost Type: 8	0.229	40.00	260.00
						Total For Phase: 0110000.001		80.00	3,143.83
						Total For Job: 15019-		80.00	3,143.83
						Total For Company:6		80.00	3,143.83

Jobs: 15019- - 15019-

Date Format - MM/DD/YY

P- Phases: 0111000.001- 0111000.001 Cost Types: 3 - 8
All Months All Dates All JC Transaction Types All Departments Phases: 0111000.001 - 0111000.001

Units: Actual

JCDetail.rpt

Mth	Trans#	Posted Date	Actual Date	Trans Type	Source	Description	Units	Hours	Cos
						15019- Liberty Center - Continued			
12/15	27380	12/17/15	12/11/15	PR	PR Entry	1/100 1.00 / 297 / Hanson , Allen W90 Payroll Taxes & Burden	0.000	0.00	103.02
12/15	27381	12/17/15	12/11/15	PR	PR Entry	1/100 1.00 / 297 / Hanson , Allen W95 Payroll Tax & Burden	0.000	0.00	74.15
12/15	29471	12/18/15	12/18/15	PF	JC Projctn	No Description Entered	0.000	0.00	0.00
12/15	32121	12/21/15	12/13/15	PE	JC Progres	No Description Entered	0.100	0.00	0.00
12/15	39144	12/23/15	12/15/15	PR	PR Entry	1/100 1.00 / 297 / Hanson , Allen W90 Payroll Taxes & Burden	0.000	0.00	103.01
12/15	39145	12/23/15	12/15/15	PR	PR Entry	1/100 1.00 / 297 / Hanson , Allen W95 Payroll Tax & Burden	0.000	0.00	74.20
	39146	12/23/15	12/16/15	PR	PR Entry	1/100 1.00 / 297 / Hanson , Allen W90 Payroll Taxes & Burden	0.000	0.00	103.01
	39147		12/16/15		PR Entry	1/100 1.00 / 297 / Hanson , Allen W95 Payroll Tax & Burden	0.000	0.00	74.20
	39148		12/17/15		PR Entry	1/100 1.00 / 297 / Hanson , Allen W90 Payroll Taxes & Burden	0.000	0.00	103.01
	39149		12/17/15		PR Entry	1/100 1.00 / 297 / Hanson , Allen W95 Payroll Tax & Burden	0.000	0.00	74.20
	39150	12/23/15	12/18/15	(Harranan	PR Entry	1/100 1.00 / 297 / Hanson , Allen W90 Payroll Taxes & Burden	0.000	0.00	103.01
	39151	12/23/15	12/18/15	-	PR Entry	1/100 1.00 / 297 / Hanson , Allen W95 Payroll Tax & Burden	0.000	0.00	74.20
	42129		12/20/15			No Description Entered	0.229	0.00	0.00
	49187 49188		12/21/15 12/21/15		PR Entry PR Entry	1/100 1.00 / 297 / Hanson , Allen W90 Payroll Taxes & Burden	0.000	0.00	103.01
	49189		12/22/15		PR Entry	1/100 1.00 / 297 / Hanson , Allen W95 Payroll Tax & Burden 1/100 1.00 / 297 / Hanson , Allen W90 Payroll	0.000	0.00	74.20 103.01
	49190		12/22/15		PR Entry	Taxes & Burden 1/100 1.00 / 297 / Hanson , Allen W95 Payroll Tax	0.000	0.00	74.20
12/15			12/23/15		PR Entry	& Burden 1/100 1.00 / 297 / Hanson , Allen W90 Payroll	0.000	0.00	103.01
		******				Taxes & Burden			
	49192		12/23/15		PR Entry	1/100 1.00 / 297 / Hanson , Allen W95 Payroll Tax & Burden	0.000	0.00	74.20
12/15			12/24/15		PR Entry	1/100 1.00 / 297 / Hanson , Allen W90 Payroll Taxes & Burden	0.000	0.00	77.26
	49194	12/30/15			PR Entry	1/100 1.00 / 297 / Hanson , Allen W95 Payroll Tax & Burden	0.000	0.00	55.64
2/15		12/30/15			PR Entry	1/100 1.00 / 297 / Hanson , Allen W90 Payroll Taxes & Burden	0.000	0.00	103.02
2/15		12/30/15			PR Entry	1/100 1.00 / 297 / Hanson , Allen W95 Payroll Tax & Burden	0.000	0.00	74.16
2/15	50684	12/31/15	12/27/15	PE	JC Progres	No Description Entered Total for Cost Type: 3	0.228 4.300	0.00 0.00	0.00 14,990.96
	00.001			1	nt- On Site	5 LABOR			
7/15	29447	07/23/15	07/23/15		155	No Description Entered	0.000	0.00	0.00
8/15		08/28/15				No Description Entered	0.229	0.00	0.00
8/15		09/03/15			ATTOMATON OF THE	1/100 1.00 / 297 / Hanson , Allen W1 LABOR	0.000	5.50	228.73
8/15			08/27/15		PR Entry	1/100 1.00 / 297 / Hanson , Allen W1 LABOR	0.000	6.00	249.52
8/15	49132	09/03/15				1/100 1.00 / 297 / Hanson , Allen W1 LABOR	0.000	9.00	374.28
8/15	55303	09/04/15	08/30/15	PE	JC Progres	No Description Entered	0.229	0.00	0.00

Jobs: 15019- - 15019-

Phases: 0111000.001 - 0111000.001

Cost Types: 3 - 8

Units: Actual

Posted Actual Trans

All Months

All Dates	All JC Tra	ansaction Types
------------------	------------	-----------------

All Departments

		Posted	Actual	Trans					
Mth	Trans#	Date	Date		Source	Description	Units	Hours	Cost
	Colored September 1991	ATEMATIC DIMER	moved on the middle of		Over Calledon Albardo de Ares	15019- Liberty Center - Continued	vide pullbass sich A. Vigares bones eroppen V. Mobiles		
12/15	32122	12/21/15	12/13/15	PE	JC Progres	No Description Entered	0.100	0.00	0.00
12/15	39152	12/23/15	12/15/15	PR	PR Entry	1/100 1.00 / 297 / Hanson , Allen W1 LABOR	0.000	8.00	332.69
12/15	39153	12/23/15	12/16/15	PR	PR Entry	1/100 1.00 / 297 / Hanson , Allen W1 LABOR	0.000	8.00	332.69
12/15	39154	12/23/15	12/17/15	PR	PR Entry	1/100 1.00 / 297 / Hanson , Allen W1 LABOR	0.000	8.00	332.69
12/15	39155	12/23/15	1 <mark>2/18/15</mark>	PR	PR Entry	1/100 1.00 / 297 / Hanson , Allen W1 LABOR	0.000	8.00	332.69
12/15	42130	12/23/15	12/20/15	PE	JC Progres	No Description Entered	0.229	0.00	0.00
12/15	49197	12/30/15	12/21/15	PR	PR Entry	1/100 1.00 / 297 / Hanson , Allen W1 LABOR	0.000	8.00	332.69
12/15	49198	12/30/15	12/22/15	PR	PR Entry	1/100 1.00 / 297 / Hanson , Allen W1 LABOR	0.000	8.00	332.69
12/15	49199	12/30/15	12/23/15	PR	PR Entry	1/100 1.00 / 297 / Hanson , Allen W1 LABOR	0.000	8.00	332.69
12/15	49200	12/30/15	12/24/15	PR	PR Entry	1/100 1.00 / 297 / Hanson , Allen W1 LABOR	0.000	6.00	249.52
12/15	49201	12/30/15	12/25/15	PR	PR Entry	1/100 1.00 / 297 / Hanson , Allen W1 LABOR	0.000	8.00	332.69
12/15	50683	12/31/15	12/27/15	PE	JC Progres	No Description Entered	0.228	0.00	0.00
						Total for Cost Type: 5	4.300	666.00	27,696.46
	000.001					8 EQUIP			
	29448		07/23/15		JC Projetn	No Description Entered	0.000	0.00	0.00
	29296		08/17/15		EMRev	01.8033 15 C 3/4 4 G SC / Equipment Usage / 1785 / Rev Code: 1Hourly	0.000	3.00	27.00
	29297	08/25/15			EMRev	01.8033 15 C 3/4 4 G SC / Equipment Usage / 1788 / Rev Code: 1Hourly	0.000	2.00	18.00
	29298		08/19/15		EMRev	01.8033 15 C 3/4 4 G SC / Equipment Usage / 1791 / Rev Code: 1Hourly	0.000	8.00	72.00
	29299		08/20/15		EMRev	01.8033 15 C 3/4 4 G SC / Equipment Usage / 1792 / Rev Code: 1Hourly	0.000	8.00	72.00
	29300		08/21/15		EMRev	01.8033 15 C 3/4 4 G SC / Equipment Usage / 1794 / Rev Code: 1Hourly	0.000	8.00	72.00
	37156		08/28/15		JC Progres	No Description Entered	0.229	0.00	0.00
	42518		08/24/15		EMRev	01.8033 15 C 3/4 4 G SC / Equipment Usage / 2371 / Rev Code: 1Hourly	0.000	8.00	72.00
	42519		08/25/15		EMRev	01.8033 15 C 3/4 4 G SC / Equipment Usage / 2373 / Rev Code: 1Hourly	0.000	8.00	72.00
	42520		08/26/15		EMRev	01.8009 14 C 3/4 4 D CC / Equipment Usage / 2374 / Rev Code: 1Hourly	0.000	5.50	49.50
)8/15			08/26/15		EMRev	01.8033 15 C 3/4 4 G SC / Equipment Usage / 2376 / Rev Code: 1Hourly	0.000	8.00	72.00
	42522		08/27/15		EMRev	01.8009 14 C 3/4 4 D CC / Equipment Usage / 2377 / Rev Code: 1Hourly	0.000	6.00	54.00
	42523		08/27/15		EMRev	01.8033 15 C 3/4 4 G SC / Equipment Usage / 2379 / Rev Code: 1Hourly	0.000	8.00	72.00
	42524		08/28/15		EMRev	01.8009 14 C 3/4 4 D CC / Equipment Usage / 2380 / Rev Code: 1Hourly	0.000	9.00	81.00
	42525		08/28/15		EMRev	01.8033 15 C 3/4 4 G SC / Equipment Usage / 2381 / Rev Code: 1Hourly	0.000	8.00	72.00
	55316		08/30/15			No Description Entered	0.229	0.00	0.00
	66486		08/31/15		EMRev	01.8009 14 C 3/4 4 D CC / Equipment Usage / 2640 / Rev Code: 1Hourly	0.000	8.00	72.00
8/15			08/31/15		EMRev	01.8033 15 C 3/4 4 G SC / Equipment Usage / 2641 / Rev Code: 1Hourly	0.000	2.00	18.00
9/15			09/06/15	The same of the sa	185	No Description Entered	0.228	0.00	0.00
9/15	7786	09/14/15	09/01/15	EM	EMRev	01.8009 14 C 3/4 4 D CC / Equipment Usage / 259 / Rev Code: 1Hourly	0.000	8.00	72.00

the Work of this Contract, the Contract Sum shall be increased by the actual additional costs plus overhead and profit proven by the Contractor to have been suffered by the Contractor as a consequence of such delay; provided, however, the Contractor agrees to limit the Owner's liability for daily General Conditions costs and damages suffered by the Contractor for a delay in the Work, such that the total aggregate liability of the Owner to the Contractor for daily General Conditions costs shall not exceed the fixed and agreed cap of One Thousand Three Hundred Dollars (\$1,300,00) for each calendar day for which the Contractor is entitled to a Contract Time extension. See Addendum No. 2 for the Daily General Conditions cost breakdown. This General Conditions Cap does not include and Contractor reserves the right to recover any additional General Conditions Costs incurred due to (a) delays occurring during winter conditions, or (b) costs incurred for additional days of needed crane usage.

§ 5.1.1 Based upon Applications for Payment submitted to the Architect Owner by the Contractor and Certificates for Payment issued by the Architect; Owner, the Owner shall make progress payments on account of the Contract Sum to the Contractor as provided below and elsewhere in the Contract Documents. Progress payments shall be made according to the requirements of Owner's lender's documents.

§ 5.1.3 Provided that an Application for Payment is received by the Architect-Owner not later than the <u>last</u> day of a month, the Owner shall make payment of the certified amount to the Contractor not later than the <u>last</u> day of the <u>following</u> month. If an Application for Payment is received by the Architect-Owner after the application date fixed above, payment shall be made by the Owner not later than (——) days after the Architect-the next lender <u>disbursement date or if there is no project lender, thirty (30) days after the Owner receives the Application for Payment.</u>

§ 5.1.4 Each Application for Payment shall be based on the most recent schedule of values submitted by the Contractor in accordance with the Contract Documents. Documents and approved by the Owner. The schedule of values shall allocate the entire Contract Sum among the various portions of the Work. The schedule of values shall be prepared in such form and supported by such data to substantiate its accuracy as the Owner and the Architect may require. This schedule, unless objected to by the Owner or the Architect, shall be used as a basis for reviewing the Contractor's Applications for Payment.

- Add that portion of the Contract Sum properly allocable to materials and equipment delivered and suitably stored at the site for subsequent incorporation in the completed construction within ninety (90) days (or, if approved in advance by the Owner, suitably stored off the site at a location agreed upon in writing), less retainage of percent (%): five percent (5 %) subject to the provisions of Section 5.1.8 below; further provided, that if the project lender's retention requirements are greater, such lender's requirements shall become the requirements of this Agreement. Payments for materials or equipment stored at the site, or stored off-site with written approval of the Owner, shall be conditioned upon submission by the Contractor of bills of sale or other documentation satisfactory to the Owner to establish the identity of the materials and equipment and the Owner's title to such materials and equipment. Payments for materials or equipment stored off-site shall also be





Change Order Request

15-54-00 — Liberty Center Apartments

COR Subject: Cost Impacts for Unforeseen Contaminated Soil Removal at East Side of Parking Garage & South Side of North/Center Residential Units

To Scot Safford

Cowboy Partners

6440 South Wasatch Boulevard

Holladay, UT 84121

801-424-4400

Return To Andrew Smith

Kier Construction Corporation

3710 Quincy Avenue Ogden, UT 84403

15-54-00-C.R.

COR Number: #025

COR Revision Number: 0

COR Date: 1/27/2016

Work Type : Price / Do Not

Proceed

Owner COR No: C.R. #025

Change Order Type: Owner

This COR is valid for 5 Days.

Details

Line	s							
Line No	Code	Description	Туре	Cost / Rate	Qty / Hrs	Workers	Notes	Ext
001	02200	Applied X - Costs to remove contanimanted soils that were encountered on the East Side of the Parking Garage & South Side of the North Phase Residential Units. Costs include additional over-ex of contaminated soils and cobble that was required by ECS to bridge	Subcontractor	\$48,173.000	1.00	-		\$48,173.00

Line	s							
Line No	Code	Description	Туре	Cost / Rate	Qty / Hrs		Notes	Ext
		ground water. Per Quote Dated 01/16/2016						
002	03001	Ralph L. Wadsworth - Costs attributed to extended Crane & Equipment Time including Supervisions due to impacts to progress at East Footings and Foundations for the Parking Garage. Per Quotes Dated 01/20/2016.	Subcontractor	\$33,261.440	1.00	-		\$33,261.44
003		Kier Construction - Extended General Conditions for (20) Compensable Working Days to the overal CPM schedule. Dates are Nov. 20, 2016 through Dec. 09, 2016. Reference A101, Para. 4.5 (1) for back-up on Extended General Conditions.	Subcontractor	\$26,000.000	1.00	-		\$26,000.00

Breakout

Subcontractor: \$107,434.44

Profit & Overhead Percent @ 7%: \$7,520.41

Total COR: \$114,954.85

Details / Description / Time Extension Request

Costs impacts for unforeseen contaminated soils discovered while excavating for the East Parking Garage Footings. Due to critical path impacts, we request (20) Compensable days be added to the CPM Schedule. Kier Construction was pro-active in addressing the unforeseen issues, and did their best to substantially minimize project delays.

Costs included in pricing extended crane time and equipment time for trades impacted by progress.

Reservation of Rights

The amount(s) set forth in this change order are reimbursement for the direct costs of all labor, material, and equipment necessary to perform the work described in this change order. All rights are reserved and changes and affects upon construction schedules, the original performance time, additional costs, methods, means, sequences and procedures of other contract work, and all other unforeseen circumstances caused by this change order are not included.

ARCHITECT	CONTRACTOR	OWNER
Humphreys & Partners Architects, L.P	. Kier Construction Corp.	Liberty Center Properties, LLC by it's Manager Cowboy Partners, LLC
Address	Address	Address
	Andrew Smith	
ВҮ	BY US	ВҮ
DATE	DATE 1/27/2016	DATE



Change Order

Date	Change Order #			
1/16/2016	479			

Name / Address		
Kier Construction	 	

Project

Liberty Center Provo

Description	Qty	Cost	Total
580i Geo-textile fabric. Supply and install 500SY as directed by engineer. @\$4.10 SY Material @ \$1.25 SY install = total of \$5.35 SY	500	5.35	2,675.00
ET Technologies testing fees for samples of soil collected onsite	1	2,160.00	2,160.00
FOR BACK UP SEE EMAIL ATTACHMENT KIER LIBERTY CENTER SOIL TEST INVOICE BASEMENT CO #4705			
Profit and Overhead 10%	0.1	43,793.84	4,379.38
		Total	\$48,173.22



Change Order

Date	Change Order #
1/16/2016	479

er right is was extilled an external inflation	1994 (MIN-10-10-10-10-10-10-10-10-10-10-10-10-10-

Project

Liberty Center Provo

Description	Qty	Cost	Total	
Excavation and load trucks with hydro carbon contaminated material. 352.14 ton @ \$6/ton Increase rate due to slow digging and searching for contaminated material.	352.14	6.00	2,112.84	
Export of existing material contaminated with hydro carbon to ET Technologies. 352.14 ton @ \$29/ton	352.14	29.00	10,212.06	
FOR BACK UP SEE EMAIL ATTACHMENTS KIER LIBERTY CENTER ET EXPORT A KIER LIBERTY CENTER ET EXPORT B 3.5 hours @ \$150/hour truck time based on a 17 ton load. Cost was higher due to light loads and slow loading time. Light loads due to water content that couldn't splash out of the trucks and slower excavation due to exploratory digging finding contaminated areas. Import of Cobble rock to stabilize bottom of excavation. 395.09 tons @ \$36/ton. Based on 2 hour roundtrip and \$19/ton material cost.	395.09	36.00	14,223.24	
FOR BACK UP SEE EMAIL ATTACHMENT KIER LIBERTY CENTER BASEMENT CO IMPORT COBBLE				
Installation of cobble. 395.09 ton @ \$5/ton	395.09	5.00	1,975.45	

Total



Change Order

Date	Change Order#
1/16/2016	479

Name / Address	
Kier Construction	

Project

Liberty Center Provo

Description	Qty	Cost	Total
Liberty Center-Removal of existing basement and contaminated materials		0.00	0.00
15 hours track hoe time-Misc exploratory digging finding limitations of foundation, exploratory digging for contaminated materials and excavating for de-watering. Demolishing/Removing concrete foundation, footings and floor.	15	165.00	2,475.00
20 hours man time spotting for excavator and setting up/maintaining de-watering equipment for duration of CO. Assisting demo/removal of concrete foundation, footings and floor.	20	45.00	900.00
Excavation and loading trucks of existing material inside basement. Contaminated with debris and concrete. 1297.92 tons @ \$2.54/ton Cost was shared between unsuitable and contaminated materials due to the fact that other material had to be removed that went with the unsuitable in order to reach the contaminated material	1,297.92	2.54	3,296.72
Installation of E-fill. 1254.97 tons \$2.63/ton Cost was shared between unsuitable and contaminated materials due to the fact that E-fill had to be installed in areas where contaminated material was removed.	1,297.92	2.63	3,413.53
De-watering pump.	1	350.00	350.00
	T	Total	

Total



P.O. Box 572476 Murray, Utah 84157

APPLIED EX INC

Phone 801-521-2312 Fax 521-2313

□Engine	Oil □Hydraul Steering □Mu	ic Oil □Coolant Level Id Flaps □Emergency I Idrinal □Tires □Tire Pres	□Fuel □Turn Signals Equipment □Windshi	□Lights □Air Le	eaks □Brakes □H Irking Brake □Beli	lorns □Mirrors
Truck	Type: 🖂	len Wheeler □ Pup	□ Low Side End D	ump 🗆 High :	Side End Dump	☐ Transport
		DATUE - WED				
Custom		GER CONST				Nt 6/3
Job Nam	e: Libert	ty center	Job Address:	100N 3	con Pro	010
Dump Ac	Idress: <u></u> E 7	Technolog	Ties			
Load	Load Time	Material	Ticket #	Tons	Dump Time	Delay
1	8:00 AM	X-out	263525	15,49	12:508m	
2	1:45-pm	X-out	263521	15.22	2:90 Pm	
3						
4		4				
5						
6						
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8						
9						
10						
11					X .	
12						
13		-				
14						
15						
16						
	ay Codes: #2	1 Loading #2 Unloading	g #3 Truck Breakdow	n #4 Train Dela	#5 Other (Explain	n)
Tota		Travel Tin	ne Total T	ons		

NON-HAZARDOUS WASTE MANIFEST

E.T. TECHNOLOGIES INC.

No. 263525

ET Export (A)

1.	DATE SHIPPED / / / / / / / / / / / / / / / / / / /	2. DA	TE RECEIVE	ED / 3-		117	janisjen -	
3.	WASTE GENERATOR(S) INFORMATION:							
	GENERATOR 1 Liberty & Cen	terADDR	ESS 1	NO	30	WU		
	CITY Provo	STATE	UT	ZIP COD	E 8460	H	PHONE SUL- 4	244400
	GENERATOR 2				***************************************	NAME OF THE OWNER, WHEN THE OW	HEATTER STORY OF THE STORY OF T	
	CITY				E		PHONE	
	GENERATOR 3						150000000000000000000000000000000000000	
	CITY							
4.	TRANSPORTATION CERTIFICATION: I certify that the		Contractive Contra			CONTRACTOR OF THE PARTY OF THE		
7.	in Section 3 of this document. No other substance or villedge, the information given in this Manifest is a true at ment from the Waste Generators located in Section 3 at	vaste from ar nd accurate o above.	y other source lescription of	ces are include the waste mat	d in this s	hipment. T	o the best of m	y know-
	TRANSPORTER COMPANY NAME APPLIE							- June James
	DRIVER NAME (Please Print) Tim Pi							
	DRIVER SIGNATURE from Plan	5/			DAT	E /2	-1-15	-
5.	SHIPPING DESCRIPTION		let solven and the solven and					
COP	NTAINER CODES: A = SUMP TRUCK B = RAM C = TAI	NKER D=8	ARRELS E	= DUMP F=0	OTHER			
WAS	STE TYPE CODES: G=KITCHEN SUMP H=SHOP SUMP	I = YARD SUI	AP J=SEP	TIC / SEWAGE	K = SOIL	L = OTHE	3	
DES	SCRIPTION OF WASTE MATERIALS		ASTE CODE/ FILE NUMBER	CONTAINER	WASTE TYPE	TC	TAL QUANTITY	
ne	Anoleum-contaminated 5011	80	6-13982	E	K	309	80	Lbs. Gals.
T								Lbs.
								Gals.
								Lbs. Gals.
-	Additional Descriptions or Special Handling Instructions:		210					
			ncr					
			,					
	de 014 00	21 6	1					
N More	GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately in proper condition for transport by highway according to applicable Federal, in proper condition for transport by highway according to applicable Federal, in proper condition for transport by highway according to applicable Federal, in proper conditions as defined by the Sait Lake Valley Solid Waste Management Council. I further agree to pay a late charge of 1.5 % per month (18% pattorney/collection fees for delinquent accounts) GENERATOR 1 — Certified By: GENERATOR 3 — Certified By:	State and Local gulations and 40 Cd by E.T. Technol	overnmental reguler A Part 260 & 2 ogles, Inc. I agre all past due in Title Title Title Title	lations. I further ce 61, as amended fro e to pay for all disp accounts (30 day	ortify that the very time to time to time to time to time osal/processings after dat	vaste materials e, and I acknow ng lees and spi	described above and ledge that said wast acial handling charge	e not a
	, 1	RTION FOR C	FFICE USE	ONLY -		/1	1-1	,
5	Signature of E.T. Representative: Kan Miles	3/n			D	ate :	-1-1	<u> </u>
	Gross Weight Tare Weight Ne	t Weight	Clas	ss	Price	Ton	Pric	8
1) (57580 26600 300	180	8	UG	\$18	15	528	114
2)		W	1		- Africa			1
3)		SSATSSANSIANIANIANIANIANIANIANIANIANIANIANIANIANI					<u> </u>	
5.2	TIGHT TICKET # DISPOSAL ABEA SCALEHO	USE INITIALS	TRUCK	3*	PH	74	MIGT	V

NON-HAZARDOUS WASTE MANIFEST

E.T. TECHNOLOGIES INC.

No. 263521

ET Export (A)

1.	DATE SHIPPED 12 1 1	2. DATE	E RECEIVE	D_12		115		
3.	WASTE GENERATOR(S) INFORMATION: GENERATOR 1 Liberty Center	ADDRES	s <u>l</u> (TU No	30	o We	57	
	CITY Provo	STATE	UT	ZIP COD	546	<u> </u>	HONE 801-4	24-4400
	GENERATOR 2	ADDRES	S					
	CITY	_ STATE		ZIP COD		P	HONE	
	GENERATOR 3	ADDRES	is					
	CITY	_ STATE		ZIP CODI	=	P	HONE	
4.	TRANSPORTATION CERTIFICATION: I certify that the win Section 3 of this document. No other substance or walledge, the information given in this Manifest is a true and ment from the Waste Generators located in Section 3 about TRANSPORTER COMPANY NAME APPLIE	ste from any of accurate des	other source scription of	es are include the waste mat	d in this sl	nipment. To	the best of my	know-
	TRANSPORTER COMPANY NAME FIT LIE	D LA	110	<u> </u>				
	DRIVER NAME (Please Print) Tim Pie	99						
	DRIVER SIGNATURE	in			DAT	E_12	1-15	
5.	SHIPPING DESCRIPTION							
CON	ITAINER CODES: A = SUMP TRUCK B = RAM C = TANK				OTHER			
***************************************	TE TYPE CODES: G=KITCHEN SUMP H=SHOP SUMP	I = YARD SUMP	J = SEP	TIC / SEWAGE	K = SOIL WASTE	L = OTHER		
DES	SCRIPTION OF WASTE MATERIALS		E NUMBER	CONTAINER	TYPE		TAL QUANTITY	
De	choleum-contaminated soil	806	13982	E	K	304	40	Lbs. Gals.
and the same of th								Lbs. Gals.
-								Lbs.
	Additional Descriptions or Special Handling Instructions:	0/1/						QB13.
	Additional Descriptions of Operating Management	rron						
	GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately in proper condition for transport by highway according to applicable Federal, St hazardous waste as defined by the Utah Hazardous Waste Management Regul designated for disposal and/or re-use at the Soils Regeneration Site operated established by the Sall Lake Valley Soild Waste Management Council further agree to pay a late charge of 1.5 % per month 18% post attorney/collection fees for delinquent accounts. GENERATOR 1 — Certified By: GENERATOR 2 — Certified By:	ate and Local gove attons and 40 C.F.I by E.T. Technolog or annum) for a	Title Title	lations. I further co 161, as amended fre e to pay for all disp accounts (30 de	orn time to ti	waste materials e, and I acknowing fees and spe	described above are ledge that said waste scal handling charge	o not a a is is as
5	Signature of E.T. Representative: 4 M wy	TION FOR OF	FICE USE	ONLY —	0	ate : 12	1-15	
	Gross Weight Tare Weight Net	Weight	Cla	ss	Price	a∕Ton	Pric	9
1) ,	C7040 26600 804	140	8	116	\$19	8.15	\$27	0.24
2)				•	100 St	11 - 500 - 1200 -	1	
3)								
0_	30-0126/608 DISPOSALAREA SCALEHOL	SE INITIALS	TRUCI	*	PH	1	650/60	× 30



ET Export (A)

P.O. Box 572476 Murray, Utah 84157

APPLIED EX INC.

Phone 801-521-2312 Fax 521-2313

	Steering DMu	ic Oil □Coolant Level ud Flaps □Emergency nrm □Tires □Tire Pres	Equipment DWind	Ishield/Wipers □Pa	rking Brake □Be	Its/Hoses
Truck	Type: □ 1	Ten Wheeler □ Pup	□ Low Side En	d Dump 🗆 High	Side End Dump	☐ Transport
	□ MON	DITUE - WED	□ THUR □ FRI	□ SAT DATE: _	12-1-15	
Custom	er Name:	Kier		1 - 25 - Western Wildle Hilly Spring Street	ABM	31/4
		rty center				west
	ddress:	F. T. Tox	k 603	0 W 1300	Soule	5.L.C.
Load	Load Time	Material	Ticket #		Dump Time	Delay
1	8:00AM	Contempeted	263527	- 18.30	11:00 AM	
2	12:3000	11	163522		1:45 PM	
3	15-20 HT	V	2020	, (5 - 1		
4						
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15						
16						
De	lay Codes: #	1 Loading #2 Unloadii	ng #3 Truck Break	down #4 Train Dela	y #5 Other (Expla	in)

 $\label{eq:White-To-Applied Ex Office} \textbf{Canary Yellow-Mail To Customer}$

Pink - Foreman Copy

NON-HAZARDOUS WASTE MANIFEST

E.T. TECHNOLOGIES INC.

No. 263522

ET Export (A)

(CARRONING MODELS								
1.	DATE SHIPPED _	12 1	15 2.	DATE RECEIVE	ED 12	11	16	
3.		OR(S) INFORMATION:						
	GENERATOR 1 _	Liberty Ce	inter A	DDRESS 1	50 No	300	west	
	CITY		ST	ATE UT	ZIP COD	E 8460	TI PHONE	801-424-446
	GENERATOR 2		A	DDRESS				
	GENERATOR 3 _		A	DDRESS				
	CITY		ST	ATE	ZIP COD		PHONE	
4.	in Section 3 of this of ledge, the information ment from the Wast	N CERTIFICATION: I ce document. No other sub on given in this Manifest te Generators located in	ostance or waste from its a true and accurate Section 3 above.	om any other source rate description of	ces are include	d in this sh	ripment. To the b	est of my know-
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dellinativos	DRIVER SIGNATU	RE	1 King			DATE	<u> 12-1-</u>	-15
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	TOTAL TOTAL	L WITT CHITCO		PROFILE NUMBER	CONTAINEN	TYPE		
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litrin h	n proper condition for transpo lazardous waste as defined by lesignated for disposal and/or established by the Salt Lake V further agree to pay a	ents of this consignment are fully if by highway according to applie y the Urah Hazardous Waste Ma re-use at the Soils Regeneratio falley Soild Waste Management late charge of 1.5 % per in for delinquent accounts and By:	cable Federal, State and I nagement Regulations an in Site operated by E.T. T Council. nonth (18% per annui	Local governmental regul di 40 C.F.R. Part 260 & 2 echnologies, Inc. I agre m) for all past due a	lations, I further ce 61, as amended fro e to pay for all disp	rify that the wrim time to time osal/processing after date	aste materials described, and I acknowledge that g fees and special hand of invoice) and re-	d above are not a is aid waste is illing charges as asonable
S	ignature of E.T. Repi	,	- THIS PORTION F	ton office use of	ONLY —	Da	ite : 12-1	1-15
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No. 263527

E.T. TECHNOLOGIES INC.

(A) hoqx∃ T∃

SALT LAKE VALLEY LANDFILL E.T. TECHNOLOGIES INC. SOILS REGENERATION SITE

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marked, and labeled, and are in all respects to makenels described above are not a lot activowledge that said waste is ease and special handling charges as invoice) and reasonable	m time to time, a osal/processing ys after date	daib ils not yeq on e	rd 40 C.F.R. Part 260 & 24 Technologies, Inc. I agreem Im) for all past due a	Management Regulations at Raing Site operated by E.T. ant Council.	nienrs of this consignment are i por by highway according to at ty the Utah Hazardous Waste flor Utah Utah Hazardous Waste B Valley Solid Waste Manageme B Tete charge of 1.5 % pe a lete charge of 1.5 % pe 1 for delignous in accoun	r proper condition for trans azardous waste as defined esignated for disposal and stablished by the Sait Lake further agree to pay	ni b i
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TRUCK #

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Class

Price/Ton

SCALEHOUSE INITIALS

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Travel Time

Driver Signature: __

Total Tons_

Ending Milage

Customer Signature:

Total Truck Hours

ET Export (A)
No. 263524
NO. 263524

E.T. TECHNOLOGIES INC.

SELT LAKE CITY, UTAH 84104
SOILS REGENERATION SITE
SOILS REGENERATION SITE
SOILS REGENERATION SITE
TECHNOLOGIES INC.

NON-HAZARDOUS TSAINAM STEST

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_5/-	1-21	BTAQ		51			Please Print) . JRE) BMAN RE TANDIS RE		
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No. 263520 (A) hoqx3 T3

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TYPE

HASTE

K = 20IF

3

CONTAINER

J = SEPTIC / SEWAGE

E.T. TECHNOLOGIES INC.



SALT LAKE CITY, UTAH 84104 HTUO2 00E1 .W 0E03 (801) 973-2065 SALT LAKE VALLEY LANDFILL SOILS REGENERATION SITE E.T. TECHNOLOGIES INC.

WASTE MANIFEST

Additional Descriptions or Special Handling Instructions:

G = KILCHEN SONING

A = SUMP TRUCK

dWns dohs = H

1:02 between-containented soil

DESCRIPTION OF WASTE MATERIALS

WASTE TYPE CODES:

CONTAINER CODES:

COM	TAINER CODES: A SUMPTHUCK B RAM C	= TANKER D = BA	E = DOMb	
.8	SHIPPING DESCRIPTION			
	DRIVER SIGNATURE	THE GENERATOR(S) INFORMATION: STATE ADDRESS A		
	DRIVER NAME (Please Print)			
	TRANSPORTER COMPANY NAME	20,00	a) Lessas	
. 4	in Section 3 of this document. No other substance ledge, the information given in this Manifest is a tru-	or waste from any e and accurate de	sonices are included in inia snipn	THE TO THE DEST OF THE KNOW-
	CITY			
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. 5	WASTE GENERATOR(S) INFORMATION:	BADDA W		
.1	21 1 1 Gaggins atad	Z. DA	EINED IN I	57
				pro-

THIS PORTION FOR OFFICE USE ONLY -GENERATOR 3 — Certified By: _ 11116 Company GENERATOR 2 — Certified By: Сомрапу 9IIIT GENERATOR 1 — Cenified By: the brathmash's Company 9111 MAY attorney/collection tees for delinquan eccounts. eldenosses bas (echarge of the graph of any of serge to the secounts (30 days after date of invoice) and the second of serge terthul i established by the Salt Lake Valley Solid Waste Management Council. designated for disposal and/or re-use at the Soils Regeneration Site operated by E.T. Technologies, Inc. I agree to pay for all disposal/processing lees and special handling charges as I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, pecked, marked, and labeled, and see in all respects in proper condition for transport by highway according to applicable Federal, State and Local governmental regulations. I further centify that the waste materials described above are not a highway according to applicable Federal, State and Local governmental regulations. State same above are not a second of a schrowledge that said waste is harmonic and a schrowledge that said waste is a smarted for the Urah Hazardous Waste Management Regulations and 40 C.F.R. Pan 260 s. 261, as amended from time, and I acknowledge that said masterials are not always according to a special partition of the content of t GENERATOR'S CERTIFICATION:

28657-208

PROFILE NUMBER

MASTE CODE

9MU2 GRAY = 1

C-31-013616 A3AA JABOABIO TRUCK # SCALEHOUSE INITIALS (8 5) 0904511 0986 りかめ Gross Weight Tare Weight Met Weight Class Price/Ton Signature of E.T. Representative: Whom has : etsQ

PIMED

ET Export (A)

START: 8:00AM END. 3:45P.O. Box 572476 Murray, Utah 84157

APPLIED EX INC.

Phone 801-521-2312 Fax 521-2313

Dri	ver Must Inspe	Fuel Ga	Prior to Driving This	Commercial Vehic	cle. Check the Bo	ox If Okay
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ET Export (A)
No. 244201

E.T. TECHNOLOGIES INC.



ASV

E.T. TECHNOLOGIES INC. SOILS REGENERATION SITE SALT LAKE VALLEY LANDFILL 6030 W. 1300 SOUTH (801) 973-2065 SALT LAKE CITY, UTAH 84104

NON-HAZARDOUS TESTINAM STEAM

5016×10-04-3

1-9

DISPOSAL AREA

SCALEHOUSE INITIALS

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		7 111				GENERATION 3 — Certified
	Company		9/hT 9/hT			GENERATOR 2 — Certified
si ataaw bias tarif egi as segrado gnilbnari is	ime to time, and I acknowled inprocessing fees and special after date of Invoice) a	f most bebriens as , fi	40 C.F. P. Pan S60 & S. 40 C.F. P. Pan S60 & S. 40 C.F. P. Pan S60 & S. 40 C.F. P. Pan Seo & S. 40 C.F. P. Pan Seo & S. 40 C.F. P. P. 40 C.F. P. P. 41 Past due and the past due and due and the past due and the past due and the past due and the	e hederal, State and Lo ement Regulations and ne operated by E.T. Tec	of this consignment are fully any highway according to applicably fullah Hazandous Waste Manageneration 5. Solid Waste Management Coucharge of 1.5 % per montable full accounts.	6. GENERATOR'S CERTIFIC I hereby declare that the contents in proper condition for transport by the cardous waste as defined by the designated for disposal and/or re- stablished by the Sail Lake Valle) I turther agree to pay a late attorney/collection fees for
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Vaste Generators listed he best of my know- adge receipt of the ship-	n this shipment. To t	ss are included i	sny other source	nce or waste from a true and accurat	ament. No other substa	in Section 3 of this doct ledge, the information g
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200 F

E.T. TECHNOLOGIES INC.

No. 263526

ET Export (A)



NON-HAZARDOUS WASTE MANIFEST

1.	DATE SHIPPED	12	2/1	<u>S</u> 2.	DATE RECEIVE	0_12	12	115		
3.	WASTE GENERA	TOR(S) INFO	L. CON	uter a	DDRESS	0 No	300	West	f	
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	CITY			ST	ATE	ZIP CODE		PH	ONE	
				Α.	DDDESS					
	CITY			ST	ATE	ZIP CODE	-	PH	ONE	
4.	TRANSPORTATION IN Section 3 of this ledge, the informal ment from the Wa	ON CERTIFIC. document. It tion given in t ste Generator	ATION: I certif to other subst his Manifest is s located in S	y that the waste ance or waste from a true and accu- ection 3 above.	load(s) listed below om any other source rate description of	v (Section 5) w	ere collecte d in this sh	ed from the Wipment. To t	laste Generat ne best of my	know-
	TRANSPORTER	COMPANY N	IAME / \	Luc I	1005					
	DRIVER NAME (BLAKI	E MIL	LEIC		DATE	12-	2-6	
-	DRIVER SIGNAT	and the same of th					DATE			
5.	SHIPPING DESC	A = SUMP TRUC	K B=RAM	C = TANKER	D=BARRELS E	= DUMP F=0	OTHER		100 mg	
0.000	TE TYPE CODES:					TIC / SEWAGE	K = SOIL	L = OTHER		
	CRIPTION OF WAS				WASTE CODE/ PROFILE NUMBER	CONTAINER	WASTE TYPE	TOTA	L QUANTITY	
De.	tro leum-co	ntamin	ated su	1	806-13982	E	K	3200	0	Lbs. Gals.
+	The foots of									Lbs.
*										Gals.
										Gals.
	Additional Description	ons or Specia	Handling Ins	tructions:					No	R
	GENERATOR'S CEI I hereby declare that the or in proper condition for trans hazardous waste as define designated for disposal and established by the Salt Lak I further agree to pay attorney/collection fee GENERATOR 1 — Ce GENERATOR 2 — Ce GENERATOR 3 — Ce	ontents of this consport by highway a do by the Utah Haza ddor re-use at the Sa Valley Solid Was a late charge to so for delinquentified By:	eignment are fully a coording to applicate ardous Waste Mana soils Regeneration ate Management Co of 1.5 % per mo- ment accounts.	ble Federal, State and agement Regulations a Site operated by E.T.	d Local governmental regi- and 40 C.F.R. Part 260 & Technologies, Inc. I agri um) for all past due	plations. I furner co. 261, as amended in see to pay for all displacecounts (30 da secounts)	om time to time cosal/processir	o, and I acknowled ag lees and special of Invoice) a company	ge that said waste at handling charge	a is as as
***************************************			-	THIS PORTION	FOR OFFICE USE	ONLY -		1	1 1	,
	Signature of E.T. R	epresentative	: Kunl	nowf	in		D	ate : 1 —	-1-11	
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2)				1						
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NON-HAZARDOUS

WASTE MANIFEST

E.T. TECHNOLOGIES INC.

No. 263532

ET Export (A)

WCR

1.	DATE SHIPPED_	12-	121	45	2.	DATE RECEIV	ED D	, 9	- 1 W	5		
3.	WASTE GENERA	TOR(\$) INF	ORMATION:									
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	CITY	Juno			ST	ATE UT	ZIP COD	DE 846	01	PHONE	801-424-	4402
	GENERATOR 2		WAS AND SHOP AND ADDRESS OF THE PARTY OF THE		A	DDRESS						
	CITY				ST	ATE	ZIP COD	DE		PHONE	·	
	GENERATOR 3				A	DDRESS						
	CITY				ST	ATE	ZIP COD	DE		PHONE		
4.	TRANSPORTATION IN Section 3 of this ledge, the information ment from the Waster TRANSPORTER DRIVER NAME (I	document.	No other sub this Manifest	is a true	waste from	om any other sou rate description o	rces are includ of the waste ma	led in this	shipment.	To the be	st of my kno	W-
	DRIVER NAME (Please Prin	nt) 100	7						7 -	-15	
	DRIVER SIGNAT		12	5				DA	TE 12	1	P	and the same
5.	SHIPPING DESC	RIPTION										
CON	TAINER CODES:	A = SUMP TR	UCK B=RA	M C=T	ANKER			OTHER				
WAS	TE TYPE CODES:	G = KITCHEN	SUMP H = S	HOP SUMP	I=YA	RD SUMP J = SE	PTIC / SEWAGE	K = SOI				-
DES	CRIPTION OF WAS	TE MATERI	ALS			PROFILE NUMBER	CONTAINER	TYPE		TOTAL QUA	INTITY	
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-												.bs.
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												als.
	Additional Descriptio	ns or Spec	ial Handling I	nstructions	s:						KCR	2
	GENERATOR'S CEF I hereby declare that the co in proper condition for trans hazardous waste as defined designated for disposal and established by the Sall Lake I further agree to pay attorney/collection fee: GENERATOR 1 — Cer GENERATOR 2 — Cer GENERATOR 3 — Cer	ntents of this copon by highway by the Utah Ha /or re-use at the a Valley Solid wa late charge a for deling tified By:	onsignment are fully according to applazardous Waste Ma Soils Regeneration aste Management of 1.5 % partuent accounts.	icable Federa anagement R on Site opera Council. menth. (18%	at, State and equilations a steed by E.T.	Local governmental re nd 40 C.F.R. Part 260 it Technologies, Inc. Lag um) for all past due Title Title Title	gulations. I further: 1 261, as amended pree to pay for all di a accounts (30 o	certify that the from time to sposal/proce days after	ne waste materi time, and I ackn issing fees and date of involu-	ais described nowledge that special handi ce) and rea	above are not a said waste is ing charges as	
			11 1	1	ORTION	FOR OFFICE USE	ONLY -		Date :	2-2	-15	
	Signature of E.T. Re	THE RESERVE OF THE PERSON NAMED IN COLUMN TWO IS NOT THE PERSON NAMED IN COLUMN TWO IS NAMED IN COLUMN TW	are Weight	and the same of the same of	Net Weig	bi C	lass	Pi	rice/Ton	T	Price	
11 [Gross Weight	10	WUM	2,1	700		U(57	\$	18.15	1	287	68
2)	06100	1	7700	1	100	- 0	VU71	46	0113	++	IN for	
2)										+		
3)					101 105 110	TALC TO	rv "	0.1	The state of the s	122	aliny	
C-!	TICKET#		POSAL AREA	SCALE	HOUSE INIT	2	ck is	In	-/A-		166	0



P.O. Box 572476 Murray, Utah 84157

APPLIED EX INC.

Phone 801-521-2312 Fax 521-2313

Beginning Mileage 167675; Fuel Gallons Truck # 6 Brakes Adjust (Time)											
Dri	ver Must Insp	ect the Follo	wing Items	Prior to Driving This	Commercial Ve	hicle. Check the Bo	x If Okay				
□Engine (□ Engine Oil □ Hydraulic Oil □ Coolant Level □ Fuel □ Turn Signals □ Lights □ Air Leaks □ Brakes □ Horns □ Mirrors □ Steering □ Mud Flaps □ Emergency Equipment □ Windshield/Wipers □ Parking Brake □ Belts/Hoses □ Backup Alarm □ Tires □ Tire Pressure □ Coupling Devices □ Wheels/Rims/Lugs INT:										
Truck Type: ☐ Ten Wheeler ☐ Pup ☐ Low Side End Dump ☐ High Side End Dump ☐ Transport											
□ MON TUE □ WED □ THUR □ FRI □ SAT DATE: 12, 12 12015											
Customer Name: KIEV											
Dump Address: Et Technologies THC 6030 W 1300 South											
Dump Ac	Dump Address: Et Technologies TAK 6030 W 1300 South										
Load	Load Time	Mate	erial	Ticket #	Tons	Dump Time	Delay				
1	5'c0	Contany	nateds	Sil 26357	8	10:30					
2	11:40	U	()	263523		1:15					
3	2:15	11	1/	2635 19		4:05					
4											
5											
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11											
12											
13											
14											
15											
16			(S)								
De	lay Codes: #	#1 Loading	#2 Unloadin	g #3 Truck Breakd	own #4 Train D	elay #5 Other (Exple	jin)				
Total Truck Hours Travel Time Total Tons Ending Milage Customer Signature: Driver Signature											
Ouston	orginaturor			e Canary Yellow — Mail 1		Foreman Copy	A STATE OF THE STA				

NON-HAZARDOUS

E.T. TECHNOLOGIES INC.

No. 263523

W	ASTE MANIFES	ST		CITY, UTAH 8410					
1.	DATE SHIPPED	12/1/	15° 2.	DATE RECEIVE	D 12		1 13		701.35
3.	WASTE GENERATOR			• • • • • • • • • • • • • • • • • • • •					
	GENERATOR 1	-iberty Co	enter.	ADDRESS 10	U No	300 1	N		
	CITY Pa	<u> </u>	S	TATE UT	ZIP COD	E 8460	<u> 1 P</u>	HONE BUL!	424-446
	GENERATOR 2								
	CITY		S	TATE	ZIP COD	E	PH	HONE	
	GENERATOR 3								
	CITY							HONE	
4.	TRANSPORTATION C in Section 3 of this doc ledge, the information ment from the Waste C TRANSPORTER COM	nument. No other subsigiven in this Manifest in Generators located in Supervision (MPANY NAME	stance or waste fr s a true and accu Section 3 above.	rom any other source urate description of	es are includ	ed in this sh	ipment. To	the best of m	ny know-
	DRIVER NAME (Plea	so Printi	Jenie-	Lolows					
	DRIVER SIGNATURE		- de			DATE	12/	7/20	75
5.	SHIPPING DESCRIP			Ò			l		
-		SUMP TRUCK B = RAM				OTHER			
*	STE TYPE CODES: G=K		OP SUMP I = YA	ARD SUMP J = SEP' WASTE CODE/	TIC / SEWAGE	K = SOIL	L = OTHER	AL CHANTITY	
DES	SCRIPTION OF WASTE N	MATERIALS		PROFILE NUMBER	CONTAINER	TYPE	101.	AL QUANTITY	
P	etroleum - con	taminated s	Soil	806-13982	E	K	28	260	Lbs. Gals.
									Lbs. Gals.
									Lbs. Gals.
	Additional Descriptions of	r Special Handling Ins	structions: M	CR					
	GENERATOR'S CERTIFI I hereby declare that the contents in proper condition for transport by hazardous waste as defined by the designated for disposal and/or re- established by the Salt Lake Valle I further agree to pay a late attorney/collection fees for GENERATOR 1 — Certified GENERATOR 2 — Certified GENERATOR 3 — Certified	of this consignment are fully y highway according to applice to Ulah Hazardous Waste Manuse at the Soils Regeneration y Solid Waste Management Contains of the Charge of 1.5 % per modelinquent accounts. By: By:	able Federal, State and agement Regulations a Site operated by E.T.	d Local governmental reguland 40 C.F.R. Part 260 & 2 Technologies, Inc. i agre um) for all past due in	elations. I further of 161, as amended fi to pay for all dis	ertify that the wrom time to time posal/processin mys after date	aste materials de , and I acknowled g lees and speci	escribed above as dge that said was all handling charg	re not a ste is ges as
		3	May m	FOR OFFICE USE	ONLY -	D	ate : / 6	2-1-	1.0
	Signature of E.T. Repres		7			Price		Prik	
	Gross Weight	Tare Weight	Net Weig	tht Cla	SS	A I M	1011	PIK	111
1)	15040	46780	1810	91	169	F1811	5	PWI	6.46
2)									
3)									
(TICKET# 12-01361.50U	DISPOSAL AREA	SCALEHOUSE INIT	TIALS TRUCK	C#	PH	X	1-9/	LV





E.T. TECHNOLOGIES INC.

No. 263519

1.	DATE SHIPPED	12.1	26 2	DATE RECEIVE	n 17.	1.10	115	
CONTRACTOR				DATE HECENT			and the state of t	
3.	GENERATOR 1 L	(S) INFORMATION:	eden	ADDRESS III) No	7000	West	
	CITY Pro	- DOLLY U	en Ty	TATE UT	710 000	= 641-	7 PHONE SO1-4	17 U-44(D
	GENERATOR 2					2100	THORE 21	
						=	PHONE	
	GENERATOR 3							
	CITY		S ²	TATE	ZIP CODI	-	PHONE	
4.	in Section 3 of this doc ledge, the information ment from the Waste (TRANSPORTER COI DRIVER NAME (Plea	cument. No other sub- given in this Manifest Generators located in MPANY NAME	stance or waste fi is a true and acci Section 3 above.	rom any other source	the waste mat	d in this sh erial. I furt	ed from the Waste Gene ipment. To the best of her acknowledge receip	my know- t of the ship-
SUPPLIES CO.	DRIVER SIGNATURE	CONTRACTOR OF THE PROPERTY OF	- 12 1/C	20		DATE		10
5.	SHIPPING DESCRIP		4 C TANKED	D DARDELS E	= DUMP F=0	OTHER		
-	TAINER CODES: A=	SUMP TRUCK B = RAN	**************************************		TIC / SEWAGE	K = SOIL	L = OTHER	
-	CRIPTION OF WASTE		15. 65.11	WASTE CODE/	CONTAINER	WASTE TYPE	TOTAL QUANTITY	1
Pe	stroleum - con	taminated	Soil	PROFILE NUMBER 8UG-13982	E	K	16840	Gals.
								Lbs. Gals.
6.	GENERATOR'S CERTIF hereby declare that the contents n proper condition for transport to hazardous waste as defined by th designated for disposal and/or re satablished by the Salt Lake Valle further agree to pay a lat attorney/collection fees fo GENERATOR 1 — Certified GENERATOR 2 — Certified GENERATOR 3 — Certified	ICATION: s of this consignment are fully y highway according to applie the Utah Hazardous Waste Ma use at the Soils Regeneratio ey Soild Waste Management e charge of 1.5 % per or r delinquent accounts. I By:	and accurately describ table Federal, State and nagement Regulations on Site operated by E.T. Council.	ed above by proper shipping d Local governmental reguland 40 C.F.R. Part 260 8 7. Technologies, Inc. 1 agreeum) for all past due	plations. I further ce 261, as amended from se to pay for all disp	ortify that the witom time to time to time to time to time to sal/processing after date.	aste materials described above , and I acknowledge that said w g lees and special handling cha	are not a assie is irges as
	Aggine and the property of the company of the property of the property of the company of the com	12	THIS PORTION	FOR OFFICE USE	ONLY -	n.	17-19	15
S	Signature of E.T. Repre		1-1-1			Price	ote:	rice
4.)	Gross Weight	Tare Weight	Net Weig			AIM	15 215	7 00
1) (2)	45640	40 786	184	8	UQ	718	(3 41)	40 6
3)						AND 12 A D D D D D D D D D D D D D D D D D D		
1/	278Cica	DISPOSAL AREA	SCALEHOUSE IN	TIALS TRUC	K #	PH /	9 241	30/152

E.T. TECHNOLOGIES INC.

No. 263528

ET Export (A)

NON-HAZARDOUS WASTE MANIFEST/) / 6030 W. 1300 SOUTH (801) 973-2065 SALT LAKE CITY, UTAH 84104

E.T. TECHNOLOGIES INC. SOILS REGENERATION SITE SALT LAKE VALLEY LANDFILL

1.	DATE SHIPPED	2. DATE RE	CEIVED 341	2/1	1 65	
3.	WASTE GENERATOR(S) INFORMATION:			Ones.		
	GENERATOR 1 Liberty Ce	nter_ ADDRESS_	iou No	300	West	
		STATE U				E 801-424-4401
	GENERATOR 2	ADDRESS _				
	CITY	STATE	ZIP C	ODE	PHON	E
	GENERATOR 3					
	CITY	STATE	ZIP C	ODE	PHON	E
4 .	TRANSPORTATION CERTIFICATION: I certify in Section 3 of this document. No other substated by the information given in this Manifest is ment from the Waste Generators located in Settlement from the Waste Generators located	ance or waste from any other a true and accurate descripction 3 above.	r sources are incl tion of the waste	uded in this si material. I fur	hipment. To the t	pest of my know- receipt of the ship-
CON'	TAINER CODES: A = SUMP TRUCK B = RAM	C = TANKER D = BARRELS	E = DUMP	F = OTHER		
VAS	TE TYPE CODES: G = KITCHEN SUMP H = SHOI	SUMP I= YARD SUMP	J = SEPTIC / SEWAGE	K = SOIL	L = OTHER	
DES	CRIPTION OF WASTE MATERIALS	WASTE CO PROFILE NU		R WASTE	TOTAL OL	JANTITY
. 4	down on toward on	806-139	82 E	K		Lbs.
S	voleum-contaminated soi	1 100131	8A E			Gals.
						Lbs. Gals.
Marine Contraction of the Contra						Lbs.
	Additional Descriptions or Special Handling Instr					Gals.
in h	SENERATOR'S CERTIFICATION: hereby declare that the contents of this consignment are fully and proper condition for transport by highway according to applicable azardous waste as defined by the Utah Hazardous Waste Manage esignated for disposal and/or re-use at the Soils Regeneration St stablished by the Salt Lake Valley Soild Waste Management Cou- further agree to pay a late charge of 1.5 % per mon SENERATOR 1 — Certified By: ENERATOR 3 — Certified By: ENERATOR 3 — Certified By:	d accurately described above by proper Federal, State and Local government amount Regulations and 40 C.F.R. Pare e operated by E.T. Technologies, Innicil. th (18% (per annum) for all pass Title Title	ntal regulations, 1 further 260 & 261, as amende : 1 agree to pay for all	er certify that the wild from time to time disposal/processin days after date	reste materials describe , and I acknowledge the glees and special han of invoice) and re company	d above are not a at said waste is dling charges as
		THIS PORTION FOR OFFICE	LISE ONLY _			
Si		montin		Da	ate : 12-1	-15
	Gross Weight Tare Weight	Net Weight	Class	Price	/Ton	Price
6	8980 46780	2/200	849	5/8	15	5201.47
-11.5	TICKET # DISPOSAL AREA	SCALEHOUSE INITIALS	TRUCK #	PH	cm 11	9/170



P.O. Box 572476 Murray, Utah 84157

APPLIED EX INC.

Phone 801-521-2312 Fax 521-2313

Beginning Mileage Fuel Gallons Truck # 7 Brakes Adjust (Time)								
Driver Must Inspect the Following Items Prior to Driving This Commercial Vehicle. Check the Box If Okay								
□Engine Oil □Hydraulic Oil □Coolant Level □Fuel □Turn Signals □Lights □Air Leaks □Brakes □Horns □Mirrors □Steering □Mud Flaps □Emergency Equipment □Windshield/Wipers □Parking Brake □Belts/Hoses □Backup Alarm □Tires □Tire Pressure □Coupling Devices □Wheels/Rims/Lugs <i>INT</i> :								
Truck Type: ☐ Ten Wheeler ☐ Pup ☐ Low Side End Dump ☐ High Side End Dump ☐ Transport								
MON TUE WED THUR FRI SAT DATE: 12-2-15								
Custom	er Name:	KIZZ	4.1					
			Job Address	PROVO	All and the second seco	hall help		
Dump Ac	ldress: <u>56</u>	OOW - CALIFOR	<i>via</i> Ave					
Load	Load Time		Ticket #	Tons	Dump Time	Delay		
1	12:15	PetroCiAm Contagographicol Soil	263516	32640CBS	2:00			
2								
3								
4								
5								
6								
7								
8								
9								
10								
11						10		
12								
13								
14								
15								
16								
Delay Codes: #1 Loading #2 Unloading #3 Truck Breakdown #4 Train Delay #5 Other (Explain)								
Total Truck Hours Travel Time Total Tons Ending Milage								
Customer Signature: Driver Signature:								

NON-HAZARDOUS

WASTE MANIFEST

E.T. TECHNOLOGIES INC.

No. 263516 ET Export (B)

NOR

1.	DATE SHIPPED 2 12 15	2. DATE RECEI	ved	-12	115		
3.	WASTE GENERATOR(S) INFORMATION: GENERATOR 1 Liberty Centur CITY Provo	_ ADDRESS _ [U	0 10	300	West		
	CITY Provo	STATE UT	ZIP COD	E 840	501_	PHONESO1-	124.440
	GENERATOR 2						
	CITY						····
	GENERATOR 3	_ ADDRESS					ekimin — i — i — i — i — i
4.							
9 .	TRANSPORTATION CERTIFICATION: I certify that the wain Section 3 of this document. No other substance or was ledge, the information given in this Manifest is a true and a ment from the Waste Generators located in Section 3 about	te from any other sou accurate description ove.	irces are includ	ed in this s	hipment.	to the best of r	ny know-
	TRANSPORTER COMPANY NAME APPLICA	ESEX					
	DRIVER NAME (Please Print) MIKE	LAY					
	DRIVER SIGNATURE MILLEY G	0(9		DAT	E 12	-Z-15	5
5.	SHIPPING DESCRIPTION						
-	TAINER CODES: A = SUMP TRUCK B = RAM C = TANKEI TE TYPE CODES: G = KITCHEN SUMP H = SHOP SUMP I			OTHER			
Chiefodinas	TE TYPE CODES: G=KITCHEN SUMP H=SHOP SUMP I CCRIPTION OF WASTE MATERIALS	= YARD SUMP J = SE WASTE CODE/	PTIC/SEWAGE CONTAINER	K = SOIL WASTE	L = OTHE		
Moreover		PROFILE NUMBER	CONTAINER	TYPE	"	OTAL QUANTITY	
pe	troleum-contaminated soil	806-13982	$\epsilon \in \mathcal{E}$	K	32	640	Gals.
1		remitoroaamin				,	Lbs. Gals.
******************							Lbs.
Day of the Street of the Stree	Additional Descriptions or Special Handling Instructions:		1				Gals.
,	resolution of opedar transming mismochons.					No	R
i irin h	GENERATOR'S CERTIFICATION: hereby declare that the contents of this consignment are fully and accurately design proper condition for transport by highway according to applicable Federal, State azardous waste as defined by the Utah Hazardous Waste Management Regulation designated for disposal and/or re-use at the Soils Regeneration Site operated by sitablished by the Salt Lake Valley Soild Waste Management Coperated by sitablished by the Salt Lake Valley Soild Waste Management Coperated by sitablished to pay a late charge of 1.5 % per month (184) per instrument/collection fees for delignment accounts. GENERATOR 1 — Certified By: GENERATOR 3 — Certified By:	and Local governmental reconstand 40 C.F.R. Part 260 & E.T. Technologies, Inc. Lag annum) for all past due	gulations. I further co 261, as amended fr ree to pay for all disp	ortify that the worm time to time to time to time to time to some time to time to time to self-processings after det	vaste materials e, and I acknow ng lees and sp	described above a viedge that said was ecal handling charp and reasonable	re not a ste is ges as
s	ignature of E.T. Representative:	ON EON OFFICE USE	ONLY -	D	ate :	1-2-1	10
	Gross Weight Tare Weight Net W	feight Cl	ass	Price	2/Ton	Pri	CO CO
)	67480 34840 321	640 8	46	\$18	15	\$290	0.21
3)						-	
	TICKET# DISPOSALAREA SCALEHOUSE	NITIALS TRUX	CK #	PH		350	7/330



01641

ET Export (B)

P.O. Box 572476 Murray, Utah 84157

Stat 8:00 > F. MRY - 100

APPLIED EX INC.

Phone 801-521-2312 Fax 521-2313

Turnel			y Equipment Winds essure Woupling De			
Iruck		Ten Wheeler □ Pu				
	□ MON	□ TUE XWED	□ THUR □ FRI	□ SAT DATE: _	12/2/15	
Custon	ner Name:					7
Joh Man	201		Inh Addison	100 N 207	Dana.	ISTAU QUI
		1 0				- 1AH 87
Dump A	ddress: 603	30 w Californi	a Ave SLC,	N H A70	4104	
Load	Load Time	Material	Ticket #	Tons	Dump Time	Delay
1	8:45	Petroleum contamin Soil	263511	13.36	10:15	
2	11'.57	11	263515	11,25	1:00	
3	1:54	١,١	263529	15.82	3:08	
4						
5						
6					1	
7						
8	li ili					
9						
10						
11						
12						
13			300			
14						
15	6					
16						
10						

NON-HAZARDOUS WASTE MANIFEST

E.T. TECHNOLOGIES INC.

No. 263511

ET Export (B)

MCR

1.	DATE SHIPPED	12/2/	15 2.	DATE RECEIV	ED 12	-, 2	-115	
3.	WASTE GENERAT	OR(S) INFORMATION:						
		Liberty Pl		BESS 1/5	N. 3	on u	Jest	
	CITYPn					The second secon	The state of the s	ONE 801-424-440
			ADE	DECC	ZIP GOL	E OT CI	2.L PH	ONE SOL ACT. 170
	CITY		CTAT	r	715 000			
	GENERATOR 3		SIAI	t	ZIP COD	E	PH	ONE
	CITY		AUC	HESS				
4.								
4.	ledge, the informatio ment from the Waste	Generators located in	t is a true and accurate Section 3 above.	any other sour description of	cac are include	ed in this at	simmond Task	laste Generators listed ne best of my know- dge receipt of the ship-
	TRANSPORTER CO	OMPANY NAME _ S	nap truking					
	DRIVER NAME (PI	ease Print) Ky	le Asher	oft				
	DRIVER SIGNATUR	RE 254 C	Andl			DATE	12/2	115
5.	SHIPPING DESCRI	PTION						
CON		= SUMP TRUCK B = RAI	M C = TANKER D =	BARRELS E	= DUMP F=0	OTHER		
	TE TYPE CODES: G		HOP SUMP I = YARD S		TIC / SEWAGE	K = SOIL	L = OTHER	
DES	SCRIPTION OF WASTE	MATERIALS		WASTE CODE/ ROFILE NUMBER	CONTAINER	WASTE	TOTAL	OUANTITY
)e	troleum contan	unated soils	80	G-13982	E	K	A 100 A	Lbs. Gals.
	The state of the s							Lbs.
*******				****				Gals.
								Lbs.
	Additional Descriptions	or Special Handling In	structions					Gals.
	•	,						MCR
i i i i i i i i i i i i i i i i i i i	GENERATOR'S CERTIF hereby declare that the content in proper condition for transport nazardous waste as defined by the designated for disposal and/or in setablished by the Sait Lake Val- further agree to pay a la interney/collection fees for GENERATOR 1 — Certifie GENERATOR 2 — Certifie GENERATOR 3 — Certifie	its of this consignment are fully by highway according to applie the Utah Hazardous Waste Maree-use at the Soils Regeneration ley Soild Waste Management (little charge of 1.5 % per mor delinquent accounts.) d By:	able Federal, State and Local nagement Regulations and 40 in Site operated by E.T. Techn Council.	governmental regul C.F.R. Pari 260 & 2 ologies, Inc. I agre- or all peat due a Title Style Title	ations. I further cei 61, as amended fro a to pay for all dispo	nity that the war time to time, sal/processing a after date	and I acknowledge glees and special if of invoice) and ompany Kirch ompany	ribed above are not a that said waste is handling charges as
			THIS PORTION FOR	OFFICE USE	ONLY -		^	
S	ignature of E.T. Repre	esentative: KN	musm			Da	te: 12	-2-15
-	Gross Weight	Tare Weight	Net Weight	Clas	s	Price/	Ton	Price
) 1	14400	27680	26720	Q1	162	8181	5	\$247.418
\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	/ \ 1 -	1000	1010	00	TU!	4101		7 1 1 1 1 1
1				+				
-	TICKET #	DISPOSAL AREA	SCALEHOUSE INITIALS	TRUCK	#.	PH	7	7/- AV
-7	M361805	5-2	and any second and any	14	4	mela	- 1	1777

E.T. TECHNOLOGIES INC.

No. 263515 ET Export (B)

E.T. TECHNOLOGIES INC. SOILS REGENERATION SITE SALT LAKE VALLEY LANDFILL 6030 W. 1300 SOUTH (801) 973-2065 SALT LAKE CITY, UTAH 84104

MCR

No. of Concession, Name of Street, or other Desired Publishers of Street, or other Desired Publi									
1.	DATE SHIPPED	12121	W 2.	DATE RECEIV	ED D	, 2	, 65		
3.		R(S) INFORMATION:							
	GENERATOR 1	Liberty Ce	nter ADI	DRESS 10	U No	300	west		
	CITY Pro	500 /	STAT	E UT	ZIP COL	E 846	01 F	HONE SOI- 4	24-446
	GENERATOR 2		ADO	DRESS	CLEEN WALLS	e e e e e e e e e e e e e e e e e e e	Maria de Mar	THE DATE OF	
	CITY		STAT	E	ZIP COL)F		HONE	
	GENERATOR 3		ADD	RESS		Arrest Anni Anni Anni Anni Anni Anni Anni Ann	,	TIONE	
	CITY		STAT	E	ZIP COD)E	р	HONE	A CONTRACTOR OF THE CONTRACTOR
4.	TRANSPORTATION of in Section 3 of this do ledge, the information ment from the Waste TRANSPORTER CO	CERTIFICATION: I cercument. No other subsigiven in this Manifest Generators located in MPANY NAME STATE OF THE STATE OF T	tify that the waste loa stance or waste from is a true and accurate Section 3 above.	d(s) listed below any other source description of	w (Section 5) v	were collected in this statement of the terminal. I further the terminal of th	cted from the shipment. To rther acknow	Waste Genera	ators listed
CON'	The state of the s	SUMP TRUCK B = RAM	C = TANKER D :	BARRELS E	DIMAR C	OTICD			
-	TE TYPE CODES: G=	THE CONTRACTOR OF THE CONTRACT	OP SUMP I = YARD S	The state of the s	= DUMP F = TIC / SEWAGE	OTHER K = SOIL	L = OTHER		
DES	CRIPTION OF WASTE	VATERIALS		WASTE CODE/ ROFILE NUMBER	CONTAINER	WASTE		AL QUANTITY	
De	troleum conta	immated soil		16-13982	E	K	2250	20	Lbs. Gals.
,									Lbs. Gals.
									Lbs.
A	additional Descriptions of	or Special Handling Ins	tructions:						Gals.
				100				NC	R
in hade es	ENERATOR'S CERTIFIED TO THE PROPERTY OF THE PR	of this consignment are fully a y highway according to applica e Ulah Hazardous Waste Manause at the Soils Regeneration by Soild Waste Management Concherge of 1.5 % per model inquant accounts. By: By:	ble Federal, State and Local agement Regulations and 40 Site operated by E.T. Techrouncil.	governmental regul C.F.R. Part 260 & 20 nologies, Inc. I agree or all past due a	ations. I further ce 61, as amended fro a to pay for all disp	rify that the warm time to time osal/processings after date	vaste materials de a, and I acknowle ng fees and speci e of invoice) a	ascribed above are dge that said waste ial handling charges	not a
			THIS PORTION FOR		MIV				
Si	gnature of E.T. Repres	4	n coffee	OFFICE USE C	/NL1 —	D	ate : 12	-2-15	
	Gross Weight	Tare Weight	Net Weight	Clas	s	Price	√Ton	Price	
7, (20180	27680	22500	QU	6	\$1	815	\$7HH	19
()	- Anna Anna Anna Anna Anna Anna Anna Ann	the second secon			1	7		7-6-6-1	1
)			-			NAME			
C-41	TICKET NO ICILLY	DISPOSAL AREA	SCALEHOUSE INITIALS	THUCK 14	#	PH	4	420/12	ø.

E.T. TECHNOLOGIES INC.

No. 263529

ET Export (B)

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E.T. TECHNOLOGIES INC. SOILS REGENERATION SITE SALT LAKE VALLEY LANDFILL 6030 W. 1300 SOUTH (801) 973-2065 SALT LAKE CITY, UTAH 84104

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COLUMN TWO IS NOT THE OWNER.	E TYPE CODES: G=KITCHEN	MICHAEL CONTRACTOR	SHOP SUMP I = YA		TIC / SEWAGE	K = SOIL	L = OTHER		
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02429 ET Export (B)

P.O. Box 572476 Murray, Utah 84157

APPLIED EX INC.

Phone 801-521-2312 Fax 521-2313

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E.T. TECHNOLOGIES INC.

No. 263517

ET Export (B)

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E.T. TECHNOLOGIES INC. SOILS REGENERATION SITE SALT LAKE VALLEY LANDFILL 6030 W. 1300 SOUTH (801) 973-2065 SALT LAKE CITY, UTAH 84104

(Annexamen								
1.	DATE SHIPPED	17,2,1	<u>S</u> 2. DA	TE RECEIV	ED 11	12	1_65	
3.	WASTE GENERATO	OR(S) INFORMATION:						The second secon
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Heritical politicals	DRIVER SIGNATUR					DATE	13-	4-13
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E.T. TECHNOLOGIES INC.

No. 263514

ET Export (B)

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E.T. TECHNOLOGIES INC. SOILS REGENERATION SITE SALT LAKE VALLEY LANDFILL 6030 W. 1300 SOUTH (801) 973-2065 SALT LAKE CITY, UTAH 84104

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1. DATE SHIPPED	411	<u>V</u> 2.	DATE RECEIV	ED 12	12	<u> </u>	_	
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in proper condition for transpo hazardous waste as defined by designated for disposal and/or established by the Salt Lake V I further agree to pay a	ied By:	cable Federal, State and I nagement Regulations an in Site operated by E.T. 1 Council.	Local governmental reguld 40 C.F.R. Part 260 & 2 Fechnologies, Inc. 1 agreem) for all past due Title Title Title	plations. I further c 261, as amended li se to pay for all dis accounts (30 di	entity that the word time to time posal/processing aye after date	raste materials on and I acknowled and I acknowled and specification of the second spe	tescribed above are edge that said waste cal handling charge	not a 0 is 5 as
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E.T. TECHNOLOGIES INC.

No. 263531

ET Export (B)

E.T. TECHNOLOGIES INC. SOILS REGENERATION SITE SALT LAKE VALLEY LANDFILL 6030 W. 1300 SOUTH (801) 973-2065 SALT LAKE CITY, UTAH 84104

MCR

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1.	DATE SHIPPED 12/2	15 2.	DATE RECEIV	ED Z	16	15		
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	CITY	STA	ATE	ZIP COD	E	PHON	IE	
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5.	SHIPPING DESCRIPTION	10			**************************************			
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ir h d e e i a G	GENERATOR'S CERTIFICATION: hereby declare that the contents of this consignment are full proper condition for transport by highway according to apparatious waste as defined by the Utah Hazardous Waste Nesignated for disposal and/or re-use at the Soils Regenera istablished by the Salt Lake Valley Soild Waste Management further agree to pay a fate charge of 1.5 % per interney/collection fees for delinquent accounts GENERATOR 1 — Certified By: GENERATOR 2 — Certified By: GENERATOR 3 — Certified By:	plicable Federal, State and Lo Aanagement Regulations and tion Site operated by E.T. Te nt Council.	above by proper shippi ocal governmental regul 40 C.F.R. Part 260 & 2 ichnologies, Inc. 1 agre o) for all past due Title	ng name and are cli lations. I further cei 61, as amended fro e to pay for all dispo	assified, packed, in the waste milme to time, an osal/processing less after date of Com.	marked, and labele materials describe d I acknowledge the es and special han	id above are not at said waste is dling charges at easonable	5
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ET Export (B) No. 263513

E.T. TECHNOLOGIES INC.

SALT LAKE VALLEY LANDFILL SOILS REGENERATION SITE

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DISPOSAL AFFA

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ENVIRONMENTAL COMPLIANCE SERVICES, INC

3640 South 500 West, Salt Lake City. UT 84H5 - tel 801.261.2800 - fax 801.261.2801 - www.ecsconsult.com

Brent Harman Cowboy Partners 6440 So. Wasatch Blvd. Ste. 100 Salt Lake City, Utah 84121

Mr. Harman,

In reference to the time spent on Liberty Center involving the contamination problem for the time we spent on this. Reports dated from October 19 2015 thru December 7th which includes the area around where bank was. 23 Hours spent as a special inspector.

Hours spent as a tech. 15.5 Giving us totals of 38.5 Hours

Cost for Hours spent. \$1,747.00

There was additional hours spent on my behalf of 7.35 hrs which no reports were filed. For additional \$294.00

Sincerely,

Fred Delliskave

ECS

WHERE BUSINESS AND THE ENVIRONMENT CONVERGE

NATIONWIDE COVERAGE HILLIN

COWBOYPARTNERS

6440 So. Wasatch Blvd.

Suite 100

Salt Lake City, UT 84121

Tel: (801) 424-4400

Fax: (801) 424-4460

March 10, 2016

Mr. David Walter, Director Provo Redevelopment Agency 351 W. Center Street Provo, Utah 84601

Dear Mr. Walter:

As per our previous correspondence and discussions, this cover letter and attachments are intended to communicate the costs incurred by Liberty Center Properties L.L.C. for the removal and remediation of contaminates discovered on the Liberty Center project site in November of 2015.

As referenced in the February 23, 2016, letter from the State Division of Environmental Response and Remediation (DERR), the State was notified on November 23, 2015, of contaminates discovered in both the soil and ground water during excavation for footings and foundation for the project. Liberty Center Properties L.L.C. and their General Contractor took immediate action to first identify the contaminates and then work with DERR to determine the appropriate action required to address the extent and level of contamination. That work consumed the balance of November and December 2015.

Rockwell Solutions, Inc. was engaged to perform the necessary assessment, testing and remediation coordination with both the State and Liberty Center Properties, L.L.C.. ECS was also engaged for oversight as the testing agency for the overall project. The General Contractor, Kier Construction and their on site excavation sub contractor Applied X provided the on site remediation services for removal and disposal of the materials. The costs associated with these firms are attached with backup documentation.

Additionally, Ralph L. Wadsworth (RLW) the firm constructing the parking garage has submitted costs associated with progress impacts and equipment delays resulting from the work stoppage required during the remediation period. The primary contaminates were located at the site of the final footing for the parking

structure and precluded them from continuing the work as per their schedule. Those costs are also in the attached documentation.

As mentioned in our previous conversation, we have met on a couple of occasions with the parties involved and have discussed in detail the charges and have completed an exhaustive review and challenge of these costs. These numbers reflect a reduction in the original submittals. Liberty Center Properties L.L.C. has already deleted from the overall costs any expense related to unsuitable soils and unanticipated debris as well as their share of delays incurred by the project downtime. Those costs are in excess of \$130,000. Liberty Center Properties L.L.C. is not passing through any costs associated with the coordination, management or documentation of the resolution of this situation. We are however passing through penalties assessed by our Tax Credit partner.

The operating agreement executed by Liberty Center Properties, L.L.C. and Goldman Sachs outlines the details of the contributions of equity by Goldman Sachs in return for tax credit. The equity contributed is directly related to the amount of credits Goldman Sachs will receive. One component affecting the value of the tax credits is the timeliness in which they receive the tax credits based on the time value of money. Tax credits received at a later date are not as valuable as tax credits received at an earlier date. Any delays in the construction of the project create delays in receipt of the tax credits. As such, the operating agreement outlines the penalty for late delivery of tax credits at a rate of \$0.70 for every dollar that is delayed from an earlier year to a later year.

The contamination in the soils has caused a 20 day delay which will create a tax credit timing adjustment penalty estimated at \$12,474. The number is calculated as follows:

Annual tax credits are \$325,813, or \$891/day X 20 days = \$17,820 X \$0.70 = \$12,474 reduction in equity.

The breakdown of all of the costs are as follows:

\$48,173.00
\$33,261.44
\$33,520.41
\$25,480.52
\$ 2,041.00
\$12,474.00

Total: \$154,950.37

As you will note, the work occurred in November and December of last year, which has these companies holding invoices over 90 days old. All costs should be paid

directly to Liberty Center Properties L.L.C. who will transfer those funds to the appropriate parties for payment.

Since time is of the essence to avoid any liens to the project, we would appreciate your timely response to this matter. We are happy to provide further explanation if requested as you review these documents.

Sincerely,

LIBERTY CENTER PROPERTIES, L.L.C. By its manager, COWBOY PARTNERS, L.C.

Steve Brown Owner Representative

ROCKWELL SOLUTIONS, INC. 718 E BRIDGER LANE ELK RIDGE, UT 84651

801-361-2930, rockwellutah@yahoo.com

Bill to: Invoice Date: Invoice No.
Liberty Center Properties, LLC
6440 S Wasatch Blvd
Invoice Date: Invoice No.
12/30/2015
1568

Salt Lake City, Utah 84121

Project: Liberty Excavation, Re	Center, Provo mediation, and Environmental Sampling					
Date 11/23/2015 11/24/2015 11/25/2015 11/27/2015 11/30/2015 12/1/2015 12/3/2015 12/4/2015 12/4/2015	Description Initial site visit, sampling, delivery State and client interaction, data rvw Corrective action plan, emails, phone Public notice; emails Onsite mtg w/ State; subcontractor scheduling Excavation oversight, sampling Excavation oversight, sampling, empty tank Gw sampling, phone, tank removal Sample delivery Meeting at Cowboy	Hours 4.5 1.5 4.0 3.0 3.5 8.5 11.0 2.0 2.0 3.0	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	Rate 95.00 95.00 95.00 95.00 95.00 95.00 95.00 95.00 95.00	\$\$\$\$\$\$\$\$\$\$	Total 427.50 142.50 380.00 285.00 332.50 807.50 1,045.00 190.00 190.00 285.00
12/7-29/2015	Report preparation, data review, sub follow up	5.0	\$	95.00 Subtotal	\$ \$	475.00 4,560.00
SUBCONTRAC <u>Date</u> 11/24/2015 11/25/2015 12/7/2015 12/15/2015 12/15/2015 12/17/2015 12/23/2015	Item Chemtec Ford (initial samples, expedited) Chemtec Ford (tph fractionation) Sump and Trap (groundwater disposal) ET Technologies (soil disposal) ET Technologies (soil disposal-rock fee) Chemtec Ford (post excavation samples) Rain For Rent (tank rental and cleaning)	Quantity 1 1 1 1 1 1 1	\$ \$ \$ \$ \$ \$	Rate 1,133.00 715.00 7,088.80 7,030.47 1,716.00 737.00 2,253.25 Subtotal	\$ \$ \$ \$ \$ \$ \$ \$	7,560.00 Total 1,133.00 715.00 7,088.80 7,030.47 1,716.00 737.00 2,253.25 20,673.52
OTHER DIRECT Date 11/23/2015 11/27/2015 11/30/2015 12/1/2015 12/2/2015 12/3/2015 12/4/2015 12/11/2015	Item mileage to/from site and lab mileage to/from site for public notice mileage to/from site for mtg w/ State mileage to/from site for excavation, sampling mileage to/from lab mileage to/from Cowboy Properties office	Quantity 95 38 38 38 38 38 38 114	\$ \$ \$ \$ \$ \$ \$ S	Rate 0.50 0.50 0.50 0.50 0.50 0.50 0.50 0.5	\$\$\$\$\$\$\$\$\$\$\$	Total 47.50 19.00 19.00 19.00 19.00 19.00 47.50 57.00

Total Invoice \$ 25,480.52

60005417 **Provo City Corporation**

Order Nbr 70414

Publication	Daily Herald		
Contact	Provo City Corporation	PO Number	
Address 1	P.O. BOX 1849	Rate	Provo City
Address 2		Order Price	18.74
City St Zip	PROVO UT 84603	Amount Paid	0.00
Phone	8018526505	Amount Due	18.74
Fax			_
Section	Legals	Start/End Dates	04/26/2016 - 04/26/2016
SubSection		Insertions	 1
Category	999 Legal Notices	Size	16
Ad Key	70414-1	Salesperson(s)	CLASSIFIED DEFAULT
Keywords	70414-NOTICE	Taken By	Whitney Mason

Ad Proof

Notes

NOTICE

Notice is hereby given that the Municipal Council of the City of Provo, Utah, will hold a public hearing at a meeting that will be begin at 5:30 p.m. on Tuesday, May 3rd, 2016, in the Municipal Council Chambers located at the Provo City Center, 351 West Center Street, Provo, to consider a resolution appropriating \$154,950.37 in the New Development Fund for the payment of costs incurred by cowboy partners for the remediation of property once owned by the Redevelopment Agency for the fiscal year ending June 30, 2016.

Dustin Grabau, Provo City Budget Officer Legal Notice 70414 Published in The Daily Herald April 26, 2016

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Publication	Herald Extra Online		
Contact	Provo City Corporation	PO Number	
Address 1	P.O. BOX 1849	Rate	Provo City
Address 2	<u> </u>	Order Price	18.74
City St Zip	PROVO UT 84603	Amount Paid	0.00
Phone	8018526505	Amount Due	18.74
Fax			
Section	Legals	Start/End Dates	04/26/2016 - 04/26/2016
SubSection		Insertions	1
Category	999 Legal Notices	Size	16
Ad Key	70414-1	Salesperson(s)	CLASSIFIED DEFAULT
Keywords	70375-NOTICE	Taken By	Whitney Mason
Notes			

Ad Proof

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Dustin Grabau, Provo City Budget Officer Legal Notice 70414 Published in The Daily Herald April 26, 2016

1	RESOLUTION 2016
2	
3 4	A RESOLUTION TENTATIVELY ADOPTING A PROPOSED BUDGET FOR THE REDEVELOPMENT AGENCY OF PROVO CITY CORPORATION IN
5	THE AMOUNT OF \$4,292,168 FOR THE FISCAL YEAR BEGINNING JULY
6 7	1, 2016 AND ENDING JUNE 30, 2017. (16-055)
8	WHEREAS, the Chief Executive Officer has prepared a proposed budget (the "Proposed
9	Budget") for the Redevelopment Agency of Provo City Corporation (the "RDA") as required by
10	Utah State Law; and
11	
12	WHEREAS, the Proposed Budget, together with supporting schedules and data, will be
13 14	available for public inspection in the office of the City Recorder as required by law; and
15	WHEREAS, the Governing Board of the RDA will consider formal adoption of the
16	Proposed Budget in public hearings to be held on June 7, 2016 and June 21, 2016; and
17 18	WHEREAS, the Governing Board finds the Proposed Budget for the RDA for the fiscal
19	year beginning on July 1, 2016 and ending June 30, 2017, as set forth in the attached Exhibit A,
20	should be tentatively adopted.
21	
22	NOW, THEREFORE, be it resolved by the Governing Board of the Redevelopment
23	Agency of Provo City Corporation as follows:
24	
25	PART I:
26	
27	1. The Proposed Budget for the Redevelopment Agency of Provo City Corporation in the
28	amount of \$4,292,168 is hereby tentatively adopted for the fiscal year beginning July 1, 2016 and
29	ending June 30, 2017, as set forth in the attached Exhibit A.
30 31	2. The Governing Board directs that public hearings to consider the Proposed Budget
32	shall be held on June 2, 2016 and June 16, 2017 and that notice of the hearings shall be published
33	at least seven days prior to each hearing in at least one newspaper of general circulation
34	published in Utah County.
35	paonished in Cain County.
36	PART II:
37	
38	This resolution shall take effect immediately.
39	
40	END OF RESOLUTION.

60005417 **Provo City Corporation**

Order Nbr 70375

Publication	Daily Herald		
Contact	Provo City Corporation	PO Number	
Address 1	P.O. BOX 1849	Rate	Provo City
Address 2	•	Order Price	16.46
City St Zip	PROVO UT 84603	Amount Paid	0.00
Phone	8018526505	Amount Due	16.46
Fax	•		_
Section	Legals	Start/End Dates	04/26/2016 - 04/26/2016
SubSection	-	Insertions	1
Category	999 Legal Notices	Size	14
Ad Key	70375-1	Salesperson(s)	CLASSIFIED DEFAULT
Keywords	70375-NOTICE	Taken By	Whitney Mason

Ad Proof

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Publication	Herald Extra Online		
Contact	Provo City Corporation	PO Number	
Address 1	P.O. BOX 1849	Rate	Provo City
Address 2		Order Price	16.46
City St Zip	PROVO UT 84603	Amount Paid	0.00
Phone	8018526505	Amount Due	16.46
Fax			
Section	Legals	Start/End Dates	04/26/2016 - 04/26/2016
SubSection		Insertions	 1
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Ad Key	70375-1	Salesperson(s)	CLASSIFIED DEFAULT
Keywords	NOTICE Notice is hereby given	Taken By	Whitney Mason
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Dustin Grabau, Provo City Budget Officer Legal Notice 70375 Published in The Daily Herald April 26, 2016

1	RESOLUTION 2016
2	
3	A RESOLUTION TENTATIVELY ADOPTING A PROPOSED BUDGET FOR
4	THE PROVO CITY STORM WATER SPECIAL SERVICE DISTRICT IN THE
5	AMOUNT OF \$4,196,915 FOR THE FISCAL YEAR BEGINNING JULY 1,
6	2016 AND ENDING JUNE 30, 2017. (16-056)
7	
8	WHEREAS, the Mayor has prepared a proposed budget (the "Proposed Budget") for the
9	Provo City Storm Water Special Service District as required by Utah State Law; and
10	
11	WHEREAS, the Proposed Budget, together with supporting schedules and data, will be
12	available for public inspection in the office of the City Recorder as required by law; and
13	
14	WHEREAS, the Governing Board of the Provo City Storm Water Special Service
15	District will consider formal adoption of the Proposed Budget in public hearings to be held on
16	June 7, 2016 and June 21, 2016; and
17	
18	WHEREAS, the Governing Board finds the Proposed Budget for the fiscal year
19	beginning on July 1, 2016 and ending June 30, 2017, as set forth in the attached Exhibit A,
20	should be tentatively adopted.
21	NOW THEREODE has it manaly add by the Coverning Doord of the Dray City Stame
22	NOW, THEREFORE, be it resolved by the Governing Board of the Provo City Storm Water Special Service District, as follows:
23 24	water special service district, as follows.
25	PART I:
26	TAKT I.
27	1. The Proposed Budget for the Provo City Storm Water Special Service District in the
28	amount of \$4,196,475 is hereby tentatively adopted for the fiscal year beginning July 1, 2016 and
29	ending June 30, 2017, as set forth in the attached Exhibit A.
30	ending suite 50, 2017, as set forth in the attached Exhibit 11.
31	2. The Governing Board directs that public hearings to consider the Proposed Budget
32	shall be held on June 7, 2016 and June 21, 2016 and that notice of the hearings shall be published
33	at least seven days prior to each hearing in at least one newspaper of general circulation
34	published in Utah County.
35	r we could be a country.
36	PART II:
37	
38	This resolution shall take effect immediately.
39	
40	END OF RESOLUTION.

60005417 **Provo City Corporation**

Order Nbr 70375

Publication	Daily Herald		
Contact	Provo City Corporation	PO Number	
Address 1	P.O. BOX 1849	Rate	Provo City
Address 2	•	Order Price	16.46
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Section	Legals	Start/End Dates	04/26/2016 - 04/26/2016
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Publication	Herald Extra Online		
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Address 1	P.O. BOX 1849	Rate	Provo City
Address 2		Order Price	16.46
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Dustin Grabau, Provo City Budget Officer Legal Notice 70375 Published in The Daily Herald April 26, 2016

1	ORDINANCE 2016-
2 3 4	AN ORDINANCE AMENDING PROVO CITY CODE CHAPTERS 14.41 (HOME OCCUPATIONS), 15.03 (GENERAL DEVELOPMENT
5 6	STANDARDS), 15.04 (CONVENTIONAL AND OPEN SPACE SUBDIVISION REQUIREMENTS), AND 15.06 (CONDOMINIUMS) TO CLARIFY AND
7	UPDATE SUBMITTAL REQUIREMENTS FOR PLANNING
8	APPLICATIONS. CITY WIDE IMPACT. (15-0012OA)
9	WHEREAG 'S' AND A STATE OF GOING AND
10 11	WHEREAS, it is proposed that amendments be made to Provo City Code Chapters 14.41 (Home Occupations), 15.03 (General Development Standards), 15.04 (Conventional and Open
12	Space Subdivision Requirements), and 15.06 (Condominiums) to clarify and update submittal
13	requirements for planning applications; and
14	
15	WHEREAS, the Planning Commission has expressed a desire to spend less time on
16	purely administrative requests in favor of spending more time on larger, policy issues; and
17 18	WHEREAS, applicants to the City are providing unneeded paper copies of plans; and
19	with REAS, applicants to the City are providing unneeded paper copies of plans, and
20	WHEREAS, regulations for home occupations need to be more clearly defined; and
21	, ,
22	WHEREAS, on March 9, 2016, the Planning Commission held a duly noticed public
23 24	hearing to consider the proposal and after such hearing the Planning Commission recommended to the Municipal Council that the proposed amendment be approved as set forth below; and
25	
26 27	WHEREAS, on April 19 2016, the Municipal Council held a duly noticed public
28	meeting, and on May 3, 2016 a duly noticed public hearing to ascertain the facts and receive public comment regarding this matter, which facts and comments are found in the meeting and
29	hearing record; and
30	
31	WHEREAS, all persons for and against the proposed amendment were given an
32	opportunity to be heard during the public hearing; and
33 34	WHEREAS, after considering the Planning Commission's recommendation, and facts
35	and comments presented to the Municipal Council, the Council finds (i) Provo City Code
36	Chapters 14.41 (Home Occupations), 15.03 (General Development Standards), 15.04
37	(Conventional and Open Space Subdivision Requirements), and 15.06 (Condominiums) should
38	be amended on the basis recommended by the Planning Commission and (ii) this action, as set
39	forth below, reasonably furthers the health, safety and general welfare of the citizens of Provo
40	City.
41 42	NOW, THEREFORE, be it ordained by the Municipal Council of Provo City, Utah, as
42	follows:
44	

 <u>PART I</u>:

47 Provo City Code Chapter 14.41 (Home Occupations) is hereby amended as follows: 48 49 50 14.41.020. Home Occupation Permit Required. 51 To assure compliance with provisions of this Title and to protect the character of residential 52 neighborhoods in the City of Provo, a Home Occupation Permit shall be obtained from the Planning 53 CommissionCommunity Development Department before a dwelling unit in a residential zone may be 54 used for business purposes. 55 14.41.030. Procedure. 56 The Planning CommissionCommunity Development Department may, upon application, issue a Home 57 Occupation Permit which shall state the home occupation permitted, the conditions attached thereto, and 58 any time limitations imposed thereon. The permit shall not be issued unless the Planning 59 CommissionCommunity Development Department is satisfied that the applicant will meet all of the 60 conditions listed below and that the applicant has agreed in writing to comply with all said conditions. 61 14.41.040. Conditions. 62 Each and every one of the following conditions must be observed at all times by the holder of a Home 63 Occupation Permit: 64 . . . 65 (8) Only one (1) vehicle may be used in association with the home occupation and shall be garaged or 66 stored entirely within a building or structure. The vehicle used for the home occupation shall be limited to 67 a maximum size of one-ton gross vehicle weightgross vehicle weight rating of 14,000 lbs. Nor shall a 68 business be permitted that requires receipt or delivery of merchandise, goods, or equipment by other than 69 a passenger motor vehicle or by parcel or letter carrier mail service using vehicles typically employed in 70 residential deliveries. No deliveries by semi-tractor/trailer truck are permitted. 71 . . . 72 (12) Any special condition established by the Planning Community Development 73 Department and made of record in the Home Occupation Permit, as they deem necessary to carry out the 74 intent of this Section, shall be met.

75	(13) All Home Occupation Permits shall be valid for one (1) year, and may be renewed annually provided
76	there have been no reported violations, complaints, or detrimental characteristics which may, in the
77	opinion of the Planning CommissionCommunity Development Department, require termination of
78	said home occupation.
79	
80	14.41.060. Major Home Occupations.
81	"Major home occupation" means a home occupation which meets the standards listed in
82	Section 14.41.040, Provo City Code, except as specifically modified by the Planning
83	CommissionCommunity Development Department as provided herein. Pursuant to approval of
84	a conditional use permit, the Planning CommissionCommunity Development Department may authorize
85	an increase in the intensity of a home occupation, as follows:
86	•••
87	(2) A larger commercial vehicle up to a gross vehicle weight rating of 17,500 may be used, provided it is
88	parked on private property and adequately screened.
89	
90	(5) An applicant for a Major Home Occupation may forego the hearing before the Planning Commission,
91	as well as paying the fee for a conditional use permit if all the property owners within three hundred (300)
92	feet of the applicant's property sign a petition in support of the home occupation.
93	14.41.070. Noncompliance.
94	Any Home Occupation Permit shall be revoked by the Planning CommissionCommunity Development
95	Department upon violation of any requirements of this Chapter, or upon failure to comply with any of the
96	conditions or limitations of the permit, unless such violation is corrected within three (3) days of receipt of
97	written notice thereof. A permit may be revoked for repeated violations of the requirements of this
98	Chapter, notwithstanding compliance to the violation notice.
99	
100	
101	PART II:

102 Provo City Code Chapter 15.03 (General Development Standards) is hereby amended as 103 104 follows: 105 ...15.03.300. Preliminary Project Plan Submittal Requirements. 106 107 . . . 108 109 (2) Applicant submits eopiesa pdf of the preliminary project plan with a completed application, required 110 fees and allany required supporting documents, as required. Upon receipt of a complete application with 111 all necessary supporting drawings and documents, the plan shall be distributed to the various City 112 departments for review, comments and approval. After each City department reviews the plan, they shall 113 either request revisions to the submittal or approve the project as submitted. If the plan must be revised, 114 then a revised preliminary project development plan shall be prepared which addresses the matters 115 raised by City staff and then shall be submitted to the Planning Commission along with the rezoning 116 request for approval. 117 118 . . . 119 15.03.310. Final Project Plan Submittal Requirements. 120 (1) No building or structure shall be erected or substantially altered and no nonstructural improvements 121 shall be made to open land unless a final project plan is approved by the Planning 122 CommissionCoordinator Review Committee. If the proposed project includes an industrial, commercial, 123 institutional, or multiple-family residential building, structure or use (including groupings of more than one 124 (1) two-family residential structure), the project plan shall include necessary duplicate maps and drawings 125 which demonstrate compliance with applicable provisions of the Provo City Code. 126 127 . . . 128 129 PART III: 130 Provo City Code Chapter 15.04 (Conventional and Open Space Subdivision 131 132 Requirements) is hereby amended as follows: 133 134 . . . 135 15.04.120. Conventional and Open Space Subdivision Application and Review Procedures. 136 Notwithstanding the provisions of Section 15.01.020 of this Title, the following steps or procedures shall 137 be followed in order to obtain approval of a subdivision:

139 ...

(5) Step 5. Developer submits ten (10)a pdf copies of the preliminary plat with a completed application, required fees, engineer or surveyor's computer generated information disk and all supporting documents as outlined in Section 15.04.180, Provo City Code, to the Planning Commission.

(6) Step 6. Planning Commission or designated staff, in conjunction with the City Engineer and others as deemed appropriate, reviews the preliminary plat for compliance with the Provo City Code. If corrections to said plat are necessary, or if associated drawings or studies are required, such corrections shall be resolved and approved by the City Engineer and others as deemed appropriate before the plat is referred to the Planning Commissionrecorded. When required corrections have been made, staff shall refer the same to the Planning Commission with recommendations. In any subdivision contiguous to property owned by a public entity, such entity shall be notified of the proposed subdivision and shall be invited to review the preliminary plat.

(7) Step 7. Planning CommissionCity staff approves, conditionally approves or denies preliminary plat based upon findings that said plat does or does not comply with applicable provisions of the Provo City Code. Preliminary approval shall expire one (1) year from the date of the Planning Commission meeting where preliminary approval was granted unless a final plat is submitted and approved for all or a part of the subdivision. When a final subdivision does not cover the entire area included in a preliminary subdivision plat, approval of the unplatted area shall be extended to one (1) year from the date of final approval of a final plat. After expiration of the preliminary approval, no final approval shall be granted unless the developer makes a complete re-submittal including new drawings and payment of applicable fees.

(8) Step 8. Developer has a final plat prepared by a licensed surveyor according to City standards and submits such plat, together with the required improvement and other drawings done by a licensed engineer, and all other supporting documents and reports—as outlined in Section 15.04.190, Provo City Code, along with required fees. The developer shall provide two (2) permanent reproducible copies on Mylar and ten (10) paper copies of each sheet of the final proposed plat. and five (5) paper copies of improvement drawings including, but not limited to drainage, grading, contours, and landscaping along with three (3) copies of any reports. A final subdivision application shall expire one (1) year from the date of the application unless final approval is received, or sufficient progress has been made toward final approval as determined by the Community Development Director.

172	•••
173	
174	(11) Step 11. The City Engineer, when satisfied that the plat conforms with all engineering concerns,
175	signs and seals the plat, prior to forwarding the plat to Community Development Department. The
176	Community Development Director, in behalf of the Planning Commission, signs the plat after receiving a
177	recommendation from City departments and Planning Commission staff for approval or conditional
178	approval.
179	
180	•••
181	DADT III
182 183	PART IV:
184	Provo City Code Chapter 15.06 (Condominiums) is hereby amended as follows:
185	
186	•••
187	15.06.030. Submission of Application.
188	(1) The owner or developer of a proposed condominium project desiring approval shall file an application
189	with the Planning Commission on a form prescribed by the City. Said application shall be accompanied
190	by:
191	(a) Two (2) copiesA pdf copy of a record of survey map accurately drawn to scale in conformance
192	with the provisions of Section 57-8-13, Utah Code, as amended, which shall be prepared by an
193	engineer or land surveyor registered in the State of Utah. The scale of said record of survey map
194	shall be no smaller than one (1) inch equals forty (40) feet.
195	(b) Ten (10) copiesA pdf of a project plan prepared to the same scale as the record of survey map
196	designating the location of buildings; present and needed utilities and irrigation ditches; the
197	intended use of common areas; the locations of utility lines and easements; and the location and
198	extent of storage, recreational facilities, parking, driveways, pedestrian ways, curbs, walls, fences,
199	landscaping, and sprinkling systems.
200	(c) Two (2) copiesA pdf of the proposed condominium declarations and bylaws.
201	•••
202	
203	PART V:
204	
205 206	A. If a provision of this ordinance conflicts with a provision of a previously adopted ordinance, this ordinance shall prevail.

207		
208	B.	This ordinance and its various sections, clauses and paragraphs are hereby declared to be
209		severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or
210		invalid, the remainder of the ordinance shall not be affected thereby.
211		
212	C.	The Municipal Council hereby directs that the official copy of the Provo City Code be
213		updated to reflect the provisions enacted by this ordinance.
214		
215	D.	This ordinance shall take effect immediately after it has been posted or published in
216		accordance with Utah Code 10-3-711, presented to the Mayor in accordance with Utah
217		Code 10-3b-204, and recorded in accordance with Utah Code 10-3-713.

END OF ORDINANCE.

Provo City Planning Commission

Report of Action March 9, 2016

ITEM 1*

The Provo City Community Development Department requests an Ordinance Amendment to Provo City Code Sections 14.41, 15.03.300, 15.03.310, 15.04.120, and 15.06.030 in order to clarify code and update submittal requirements for planning applications. City Wide Impact. 15-0012OA, Aaron Ardmore, 801-852-6404

The following action was taken by the Planning Commission on the above described item at its regular meeting of February 24, 2016:

RECOMMENDED APPROVAL

On a vote of 7:0, the Planning Commission recommended that the Municipal Council approve the above noted application.

Motion By: Fred Bandley Second By: Jamin Rowan

Votes in Favor of Motion: Fred Bandley, Jamin Rowan, Ed Jones, Deborah Jensen, Maria Winden, Brian Smith, Ross Flom.

Ross Flom was present as Chair.

The Motion includes facts of the case, analysis, conclusions and recommendations outlined in the Staff Report, with any changes noted; Planning Commission determination is generally consistent with the Staff analysis and determination.

PLANNING COMMISSION RECOMMENDED TEXT AMENDMENT

The proposed text of the amendments is attached as Exhibit A.

STAFF PRESENTATION

The Staff Report to the Planning Commission provides details of the facts of the case and the Staff's analysis, conclusions, and recommendations.

NEIGHBORHOOD MEETING DATE

City-wide application; all Neighborhood Chairs received notification.

NEIGHBORHOOD AND PUBLIC COMMENT

Neighbors or other interested parties were not present or did not address the Planning Commission.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

Fred Bandley noted that these amendments are not a surprise, as they have been discussed in prior study sessions.

See <u>Key Land Use Policies of the Provo City General Plan</u> , applicable <u>Titles of the Provo City Code</u> , and the <u>Staff Report to the Planning Commission</u> for further detailed information. The Staff Report is a part of the record of the decision of this item. Where findings of the Planning Commission differ from findings of Staff, those will be noted in this Report of Action.
<u>Legislative items</u> are noted with an asterisk (*) and require legislative action by the Municipal Council following a public hearing; the Planning Commission provides an advisory recommendation to the Municipal Council following a public hearing.
Administrative decisions of the Planning Commission (items not marked with an asterisk) may be appealed by submitting an application/notice of appeal, with the required application and noticing fees, to the Community Development Department, 330 West 100 South, Provo, Utah, within fourteen (14) calendar days of the Planning Commission's decision (Provo City office hours are Monday through Thursday, 7:00 a.m. to 6:00 p.m.).

14.41.020. Home Occupation Permit Required.

To assure compliance with provisions of this Title and to protect the character of residential neighborhoods in the City of Provo, a Home Occupation Permit shall be obtained from the Planning Community

Development Department before a dwelling unit in a residential zone may be used for business purposes.

14.41.030. Procedure.

The Planning CommissionCommunity Development Department may, upon application, issue a Home Occupation Permit which shall state the home occupation permitted, the conditions attached thereto, and any time limitations imposed thereon. The permit shall not be issued unless the Planning Community Development Department is satisfied that the applicant will meet all of the conditions listed below and that the applicant has agreed in writing to comply with all said conditions.

14.41.040. Conditions.

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- (12) Any special condition established by the Planning CommissionCommunity Development Department and made of record in the Home Occupation Permit, as they deem necessary to carry out the intent of this Section, shall be met.
- (13) All Home Occupation Permits shall be valid for one (1) year, and may be renewed annually provided there have been no reported violations, complaints, or detrimental characteristics which may, in the opinion of the Planning Community Development Department, require termination of said home occupation.

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"Major home occupation" means a home occupation which meets the standards listed in Section 14.41.040, Provo City Code, except as specifically modified by the Planning Community Development

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Department upon violation of any requirements of this Chapter, or upon failure to comply with any of the
conditions or limitations of the permit, unless such violation is corrected within three (3) days of receipt of
written notice thereof. A permit may be revoked for repeated violations of the requirements of this Chapter,
notwithstanding compliance to the violation notice.

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(2) Applicant submits copiesa pdf of the preliminary project plan with a completed application, required fees and allany supporting documents, asif required. Upon receipt of a complete application with all necessary supporting drawings and documents, the plan shall be distributed to the various City departments for review, comments and approval. After each City department reviews the plan, they shall either request revisions to the submittal or approve the project as submitted. If the plan must be revised, then a revised preliminary project development plan shall be prepared which addresses the matters raised by City staff and then shall be submitted to the Planning Commission along with the rezoning request for approval.

15.03.310. Final Project Plan Submittal Requirements.

(1) No building or structure shall be erected or substantially altered and no nonstructural improvements shall be made to open land unless a final project plan is approved by the Planning

CommissionCoordinator Review Committee. If the proposed project includes an industrial, commercial,

institutional, or multiple-family residential building, structure or use (including groupings of more than one (1) two-family residential structure), the project plan shall include necessary duplicate maps and drawings which demonstrate compliance with applicable provisions of the Provo City Code.

15.04.120. Conventional and Open Space Subdivision Application and Review Procedures.

Notwithstanding the provisions of Section $\underline{15.01.020}$ of this Title, the following steps or procedures shall be followed in order to obtain approval of a subdivision:

- (5) Step 5. Developer submits ten (10)a pdf copies of the preliminary plat with a completed application, required fees, engineer or surveyor's computer generated information disk and all supporting documents as outlined in Section 15.04.180, Provo City Code, to the Planning Commission.
- (6) Step 6. Planning Commission or designated staff, in conjunction with the City Engineer and others as deemed appropriate, reviews the preliminary plat for compliance with the Provo City Code. If corrections to said plat are necessary, or if associated drawings or studies are required, such corrections shall be resolved and approved by the City Engineer and others as deemed appropriate before the plat is referred to the Planning Commissionrecorded. When required corrections have been made, staff shall refer the same to the Planning Commission with recommendations. In any subdivision contiguous to property owned by a public entity, such entity shall be notified of the proposed subdivision and shall be invited to review the preliminary plat.
- (7) Step 7. Planning CommissionCity staff approves, conditionally approves or denies preliminary plat based upon findings that said plat does or does not comply with applicable provisions of the Provo City Code. Preliminary approval shall expire one (1) year from the date of the Planning Commission meeting where preliminary approval was granted unless a final plat is submitted and approved for all or a part of the subdivision. When a final subdivision does not cover the entire area included in a preliminary subdivision plat, approval of the unplatted area shall be extended to one (1) year from the date of final approval of a final plat. After expiration of the preliminary approval, no final approval shall be granted unless the developer makes a complete re-submittal including new drawings and payment of applicable fees.
- (8) Step 8. Developer has a final plat prepared by a licensed surveyor according to City standards and submits such plat, together with the required improvement and other drawings done by a licensed engineer, and all other supporting documents and reports as outlined in Section 15.04.190, Provo City Code, along with required fees. The developer shall provide two (2) permanent reproducible copies on

Mylar and ten (10) paper copies of each sheet of the final proposed plat. and five (5) paper copies of improvement drawings including, but not limited to drainage, grading, contours, and landscaping along with three (3) copies of any reports. A final subdivision application shall expire one (1) year from the date of the application unless final approval is received, or sufficient progress has been made toward final approval as determined by the Community Development Director.

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- (1) The owner or developer of a proposed condominium project desiring approval shall file an application with the Planning Commission on a form prescribed by the City. Said application shall be accompanied by:
 - (a) Two (2) copiesA pdf copy of a record of survey map accurately drawn to scale in conformance with the provisions of Section 57-8-13, Utah Code, as amended, which shall be prepared by an engineer or land surveyor registered in the State of Utah. The scale of said record of survey map shall be no smaller than one (1) inch equals forty (40) feet.
 - (b) Ten (10) copiesA pdf of a project plan prepared to the same scale as the record of survey map designating the location of buildings; present and needed utilities and irrigation ditches; the intended use of common areas; the locations of utility lines and easements; and the location and extent of storage, recreational facilities, parking, driveways, pedestrian ways, curbs, walls, fences, landscaping, and sprinkling systems.
 - (c) Two (2) copies A pdf of the proposed condominium declarations and bylaws.



Planning Commission Staff Report Ordinance Amendment Hearing Date: March 9, 2016

ITEM 1*

The Provo City Community Development Department requests an Ordinance Amendment to Provo City Code Sections 14.41, 15.03.300, 15.03.310, 15.04.120, and 15.06.030 in order to clarify code and update submittal requirements for planning applications. *City Wide Impact*. 15-0012OA, Aaron Ardmore, 801-852-6404

Applicant: Provo City Community Development

Staff Coordinator: Aaron Ardmore

*Council Action Required: Yes

ALTERNATIVE ACTIONS

- 1. **Continue** to a future date to obtain additional information or to further consider information presented. *The next available meeting date is March* 23, 2016 at 5:30 p.m.
- 2. **Recommend Denial** of the proposed ordinance amendment. This would be <u>a change</u> from the Staff recommendation; the Planning Commission should <u>state new findings.</u>

Relevant History: Staff has spoken with Planning Commission members on delegating more administrative application items to staff approval in an effort to focus more Commission time on planning issues. Additionally, staff has found that there is no longer a need for paper copies with planning applications. Planning Commission saw most of these proposed amendments July 2015 and recommended approval. Staff held the application and noted there are also some issues with the current home occupation regulations, found during hearings over the last year.

Summary of Key Issues:

- Planning Commission has expressed a desire to spend less time on purely administrative requests in favor of spending more time on larger, policy issues.
- Applicants to the City are providing unneeded paper copies of plans.
- Regulations for home occupations need to be more clearly defined.
- Staff has received approval from affected parties to move forward with these amendments.

Staff Recommendation: That the Planning Commission recommends approval of the proposed Code amendments to the Municipal Council.

OVERVIEW

Planning applications that are administrative in nature (project plans, plats, etc.) are reviewed by City Staff for compliance with Provo City Code. Currently, those items still are required to be heard at a Planning Commission meeting, though the only action to take is to approve them if they have already met all relevant codes. Because staff does not bring these requests before the Planning Commission unless all the requirements of Code are met, or can be met, the Planning Commission action is a formality.

Rather than use the Planning Commission and the public's time approving these items that have already met all requirements, staff is proposing that they can be approved at staff level without a hearing. As part of that proposal, staff has defined *minor subdivision* to be in line with Utah State Code, and allow staff to approve subdivisions of ten lots or less without a public hearing.

In addition to these changes in Title 15, staff is proposing to allow applicants to submit plans electronically, without having to also provide paper copies. The staff review is all electronic, and there is no longer a need for paper copies in the review process. Removing the paper copy requirement will save the public time and money, and is a more sustainable review practice. More and more cities are moving toward electronic application submittals as a more sustainable practice.

Additionally, the current vehicle weight regulations for home occupations are not clear and have returned undesired results. Revising these sections to read "gross vehicle weight rating" and limiting that weight helps to clearly define what is permitted for a home occupation.

- 1. Provo City Code Section 14.02.020(2) sets forth the following guidelines for consideration of ordinance text amendments:
 - Before recommending an amendment to this Title, the Planning Commission shall determine whether such amendment is in the interest of the public, and is consistent with the goals and policies of the Provo City General Plan. The following guidelines shall be used to determine consistency with the General Plan:
 - (a) Public purpose for the amendment in question. The proposed amendments will save public time and ease the approval process.

- (b) Confirmation that the public purpose is best served by the amendment in question. Staff believes the public is best served by this amendment by speeding up the approval process while assuring that all applicable code requirements are met.
- (c) Compatibility of the proposed amendment with General Plan policies, goals, and objectives. The amendments are in line with General Plan goals and objectives to provide prompt decisions (Ch.2, Administration).
- (d) Consistency of the proposed amendment with the General Plan's "timing and sequencing" provisions on changes of use, insofar as they are articulated. There are no timing and sequencing issues related to this request.
- (e) Potential of the proposed amendment to hinder or obstruct attainment of the General Plan's articulated policies. The amendment will not hinder or obstruct any of the General Plan's policies.
- (f) Adverse impacts on adjacent land owners. (Does not apply)
- (g) Verification of correctness in the original zoning or General Plan for the area in question. (Does not apply)
- (h) In cases where a conflict arises between the General Plan Map and General Plan Policies, precedence shall be given to the Plan Policies.

CONCLUSIONS

Staff believes that these amendments will improve the application and review process for planning applications.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission recommends approval to the Municipal Council.

ATTACHMENTS

1. Proposed Amendments

14.41.020. Home Occupation Permit Required.

To assure compliance with provisions of this Title and to protect the character of residential neighborhoods in the City of Provo, a Home Occupation Permit shall be obtained from the Planning CommissionCommunity

Development Department before a dwelling unit in a residential zone may be used for business purposes.

14.41.030. Procedure.

The Planning CommissionCommunity Development Department may, upon application, issue a Home Occupation Permit which shall state the home occupation permitted, the conditions attached thereto, and any time limitations imposed thereon. The permit shall not be issued unless the Planning Community Development Department is satisfied that the applicant will meet all of the conditions listed below and that the applicant has agreed in writing to comply with all said conditions.

14.41.040. Conditions.

Each and every one of the following conditions must be observed at all times by the holder of a Home Occupation Permit:

- (8) Only one (1) vehicle may be used in association with the home occupation and shall be garaged or stored entirely within a building or structure. The vehicle used for the home occupation shall be limited to a maximum size of one-ten gross vehicle weightgross vehicle weight rating of 14,000 lbs. Nor shall a business be permitted that requires receipt or delivery of merchandise, goods, or equipment by other than a passenger motor vehicle or by parcel or letter carrier mail service using vehicles typically employed in residential deliveries. No deliveries by semi-tractor/trailer truck are permitted.
- (12) Any special condition established by the Planning CommissionCommunity Development Department and made of record in the Home Occupation Permit, as they deem necessary to carry out the intent of this Section, shall be met.
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Any Home Occupation Permit shall be revoked by the Planning CommissionCommunity Development

Department upon violation of any requirements of this Chapter, or upon failure to comply with any of the conditions or limitations of the permit, unless such violation is corrected within three (3) days of receipt of written notice thereof. A permit may be revoked for repeated violations of the requirements of this Chapter, notwithstanding compliance to the violation notice.

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Notwithstanding the provisions of Section <u>15.01.020</u> of this Title, the following steps or procedures shall be followed in order to obtain approval of a subdivision:

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Mylar and ten (10) paper copies of each sheet of the final proposed plat. and five (5) paper copies of improvement drawings including, but not limited to drainage, grading, contours, and landscaping along with three (3) copies of any reports. A final subdivision application shall expire one (1) year from the date of the application unless final approval is received, or sufficient progress has been made toward final approval as determined by the Community Development Director.

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PLANNING COMMISSION

MARCH 9, 2016

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City Wide Impact.

15-0012OA

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ITEM 2*

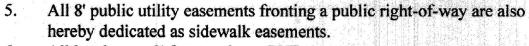
Ivory Homes requests an Ordinance Amendment to Section 14.49E.050(6)(a)(iii) and 14.49E.040(6)(b)(ii) regarding the allowance for both side yards to have a minimum setback of five feet instead of one five foot and one eight foot setback in single-family residential areas.

Lakeview North Neighborhood.

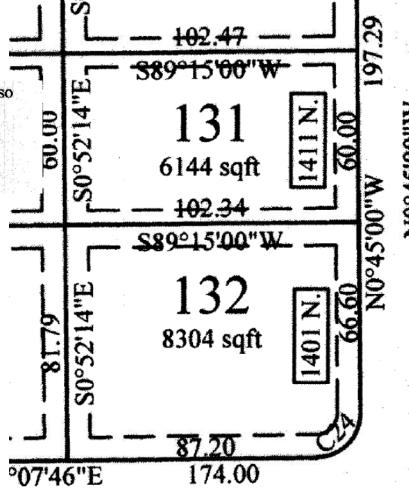
16-0002OA



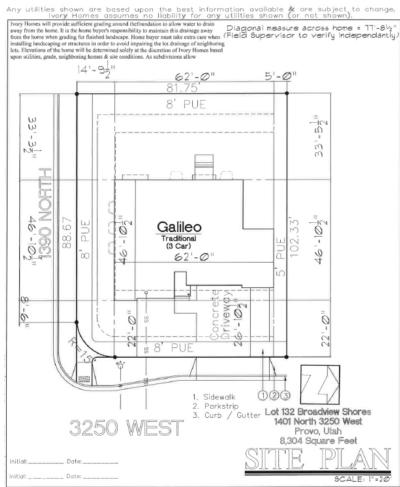




- 6. All lots have a 8' front and rear PUE.
- 7. All lots over 8,000 sf have a 8' side PUE.
- 8. All lots between 6,000 and 7,999 sf have a 5' side PUE.









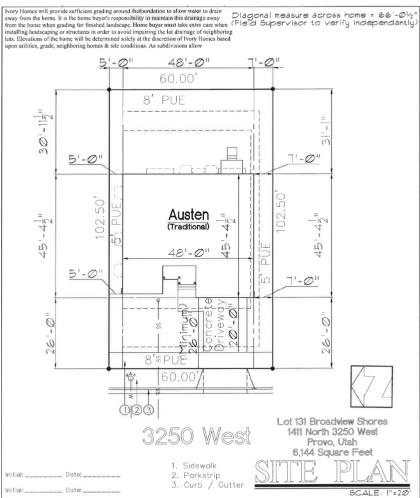


EXHIBIT "A"

Proposed Changes - Item 16-0002OA

14.49E.050. One Family Homes at Celebration (Village 1). SHARE BY

Villages comprising of <u>subdivision</u> lots for one-family detached <u>dwellings</u> shall be classified as Village 1 (V1) and are subject to the following regulations:

- (6) Yard Requirements. The following minimum yard requirements shall apply in a Village 1 (V1) development of the Villages at Celebration SDP:
- (a) Villages 1.5 (V1.5) and Villages 1.6 (V1.6).
 - (i) The minimum depth of a front yard shall be a minimum of fifteen (15) feet and a maximum of twenty-two (22) feet. Notwithstanding a lesser setback for the main building, garages, whether attached or not which are front loading to a public or private street, shall be setback at least twenty-six (26) feet from the property line to ensure a twenty (20) foot driveway depth, measured from the back of the sidewalk.
 - (ii) The minimum depth of a rear yard shall be fifteen (15) feet where dwellings have front-loading garages. If a dwelling has an alley-loading garage, then the garage shall be setback at least twenty (20) feet from the property line or shall be located within five (5) feet of said property line.
 - (iii) The minimum depth of a side yard shall be five (5) feet on one (1) side and eight (8) feet on the other side which shall be designated as a public utility easement. The eight (8) foot side yard may be reduced to five (5) where a waiver is obtained from the associated utility companies. On a corner lot, a side yard contiguous to a street shall not be less than fifteen (15) feet wide and shall not be used for vehicle parking, except any portion devoted to driveway use for access to a garage or carport.
- (b) Villages 1.8 (V1.8) and Villages 1.10 (V1.10).
 - (i) The minimum depth of a front or rear yard shall be a minimum of fifteen (15) feet and a maximum of twenty-two (22) feet. Notwithstanding a lesser setback for the main building, garages, whether attached or not, shall be setback at least twenty-six (26) feet from the property line when necessary to ensure a twenty (20) foot driveway depth, measured from the back of sidewalks.
 - (ii) The minimum depth of a side yard shall be eight (8). On a corner lot, a side yard contiguous to a street shall not be less than fifteen (15) feet and shall not be used for vehicle parking, except any portion devoted to driveway use for access to a garage or carport.

ITEM 3

Ivory Homes requests an amendment to the "Plan Book" for the Broadview Shores Development for the allowance of both side yards to have a minimum setback of five feet instead of one five foot and one eight foot setback in single-family residential areas.

Lakeview North Neighborhood.

14-0007PPA









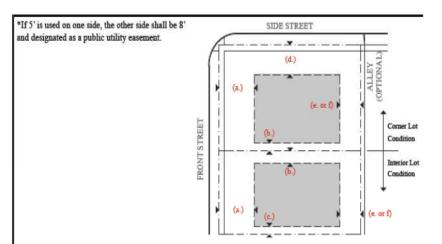
Broadview Shores

Design Guide

Home and Lot Types

A Design Guide for Broadview Shores

One Family Homes (V1) - Principal Building Setbacks



	(a.)	(a.)	(b.)	(c.)	(d.)	(e.)	(f.)
Lot Type Designation	Min. Front Yard (ft.)	Max. Front Yard (ft.)	Min. Interior Side Yard A (ft.)	Min. Interior Side Yard B (ft.)	Min. Corner Side Yard (ft.)	Min. Rear Yard w/ Front Loaded Garage (ft.)	Min. Rear Yard w/ Alley/Rear Loaded Garage (ft.)
V1.5	15	22	5*	8*	15	15	20 or 5
V1.6	15	22	5*	8*	15	15	20 or 5
V1.8	15	22	8	8	15	15 (22 max.)	N/A
V1.10	15	22	8	8	15	15 (22 max.)	N/A

ITEM 4*

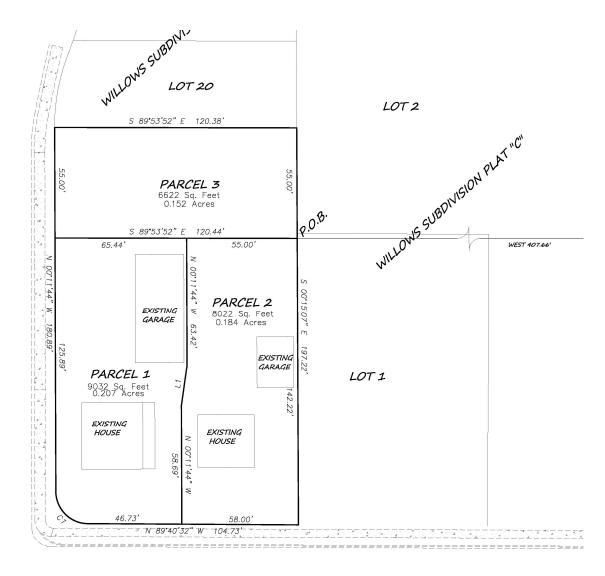
Adam Hall requests a Zone Change from Residential Conservation (RC) to Low Density Residential (LDR) to facilitate a three-lot subdivision for property located at approximately 1080 West 500 North.

North Park Neighborhood.

16-0002R







500 NORTH STREET

60005417 **Provo City Corporation**

Daily Herald

Order Nbr 69680

Contact	Provo City Corporation	PO Number	
Address 1	P.O. BOX 1849	Rate	Provo City
Address 2		Order Price	48.46
City St Zip	PROVO UT 84603	Amount Paid	0.00
Phone	8018526505	Amount Due	48.46
Fax			
Section	Legals	Start/End Dates	04/11/2016 - 04/11/2016
SubSection		Insertions	 1
Category	999 Legal Notices	Size	39
Ad Key	69680-1	Salesperson(s)	CLASSIFIED DEFAULT
Keywords	69680-NOTICE OF PUBLIC HEARING	Taken By	Whitney Mason

Ad Proof

Notes

Publication

NOTICE OF PUBLIC HEARING BEFORE THE MUNICIPAL COUNCIL

Notice is hereby given that the Municipal Council of Provo, Utah will hold a public hearing on these items on Tuesday, May 3, 2016 beginning at 5:30 p.m. in the Council Chambers located at the Provo City Center Building, 351 West Center Street. Anyone interested is invited to attend.

The Provo City Community Development Department requests an Ordinance Amendment to Provo City Code Sections 14.41, 15.03.300, 15.03.310, 15.04.120, and 15.06.030 in order to clarify code and update submittal requirements for planning applications. City Wide Impact. 15-0012OA, Aaron Ardmore, 801-852-6404.

Ivory Homes requests an Ordinance Amendment to Section 14.49E.050(6)(a)(iii) and 14.49E.040(6)(b)(ii) regarding the allowance for both side yards to have a minimum setback of five feet instead of one five foot and one eight foot setback in single-family residential areas

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Adam Hall requests a Zone Change from Residential Conservation (RC) to Low Density Residential (LDR) to facilitate a three-lot subdivision for property located at approximately 1080 West 500 North. North Park Neighborhood. 16-0002R, Dustin Wright, 2019.56.4444 801-852-6414.

801-852-6414.

Brian Dabb requests an Ordinance Text Amendment to Section 14.34.500 to allow six-foot, solid fencing within the front setback in Residential Zones. City Wide Impact. 16-00010A, Robert Mills, 801-852-6407.

Legal Notice 69680 Published in The Daily Herald April 11, 2016

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Customer Ad Proof

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Publication	Herald Extra Online		
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Legal Notice 69680 Published in The Daily Herald April 11, 2016

1 ORDINANCE 2016-2 3 AN ORDINANCE AMENDING PROVO CITY CODE SECTION 14.49E.050 4 (ONE FAMILY HOMES AT CELEBRATION (VILLAGE 1)) REGARDING 5 THE ALLOWANCE FOR BOTH SIDE YARDS TO HAVE A MINIMUM 6 SETBACK OF FIVE FEET. NORTH LAKEVIEW NEIGHBORHOOD. (16-7 0002OA) 8 9 WHEREAS, it is proposed that amendments be made to Provo City Code Section 10 14.49E.050 (One Family Homes at Celebration (Village 1)) regarding the allowance for both side yards to have a minimum setback of five feet; and 11 12 13 WHEREAS, for Villages 1.5 and 1.6, the ordinance wording implies the eight foot 14 distance was essentially required due to a desire, at that time, for a public utility easement; and 15 16 WHEREAS, Provo City Power has indicated that they rarely use side yard easements, as all power connections come from the front or rear yard easements, especially in newer 17 18 subdivisions; and 19 20 WHEREAS, for Villages 1.8 and 1.10, staff believes the existing side yard depth of eight 21 feet is appropriate due to the larger minimum lot size; and 22 23 WHEREAS, the Planning Commission made one change to the staff recommendation to 24 allow a 5 foot side yard on one side of V1.8 dwelling lots instead of both side yards having a 25 minimum side yard of 8 feet; and 26 27 WHEREAS, on March 9, 2016, the Planning Commission held a duly noticed public 28 hearing to consider the proposal and after such hearing the Planning Commission recommended 29 to the Municipal Council that the proposed amendment be approved as set forth below; and 30 31 WHEREAS, on April 19 2016, the Municipal Council held a duly noticed public 32 meeting, and on May 3, 2016 a duly noticed public hearing to ascertain the facts and receive 33 public comment regarding this matter, which facts and comments are found in the meeting and 34 hearing record; and 35 36 WHEREAS, all persons for and against the proposed amendment were given an opportunity to be heard during the public hearing; and 37 38 39 WHEREAS, after considering the Planning Commission's recommendation, and facts 40 and comments presented to the Municipal Council, the Council finds (i) Provo City Code Section

NOW, THEREFORE, be it ordained by the Municipal Council of Provo City, Utah, as follows:

furthers the health, safety and general welfare of the citizens of Provo City.

14.49E.050 (One Family Homes at Celebration (Village 1)) should be amended on the basis

recommended by the Planning Commission and (ii) this action, as set forth below, reasonably

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47 48 PART I: 49 50 Provo City Code Section 14.49E.050 is hereby amended as follows: 51 52 14.49E.050. One Family Homes at Celebration (Village 1). 53 Villages comprising of subdivision lots for one-family detached dwellings shall be classified as Village 1 (V1) 54 and are subject to the following regulations: 55 . . . 56 (6) Yard Requirements. The following minimum yard requirements shall apply in a Village 1 (V1) 57 development of the Villages at Celebration SDP: 58 (a) Villages 1.5 (V1.5) and Villages 1.6 (V1.6). 59 (i) The minimum depth of a front yard shall be a minimum of fifteen (15) feet and a maximum of 60 twenty-two (22) feet. Notwithstanding a lesser setback for the main building, garages, whether 61 attached or not which are front loading to a public or private street, shall be setback at least twenty-six 62 (26) feet from the property line to ensure a twenty (20) foot driveway depth, measured from the back of 63 the sidewalk. 64 (ii) The minimum depth of a rear yard shall be fifteen (15) feet where dwellings have front-loading 65 garages. If a dwelling has an alley-loading garage, then the garage shall be setback at least twenty 66 (20) feet from the property line or shall be located within five (5) feet of said property line. 67 (iii) The minimum depth of a side yard shall be five (5) feet on one (1) side and eight (8) feet on the 68 other side which shall be designated as a public utility easement. The eight (8) foot side yard may be 69 reduced to five (5) feet where a waiver is obtained from the associated utility companies. On a corner 70 lot, a side yard contiguous to a street shall not be less than fifteen (15) feet wide and shall not be used 71 for vehicle parking, except any portion devoted to driveway use for access to a garage or carport. 72 (b) Villages 1.8 (V1.8) and Villages 1.10 (V1.10). 73 (i) The minimum depth of a front or rear yard shall be a minimum of fifteen (15) feet and a maximum 74 of twenty-two (22) feet. Notwithstanding a lesser setback for the main building, garages, whether 75 attached or not, shall be setback at least twenty-six (26) feet from the property line when necessary to 76 ensure a twenty (20) foot driveway depth, measured from the back of sidewalks. 77 (ii) The minimum depth of a side yard shall be eight (8) feet. The eight (8) foot side yard may be 78 reduced to five (5) feet on one of the two side yards for V1.8 lots, where a waiver is obtained from the 79 associated utility companies. On a corner lot, a side yard contiguous to a street shall not be less than 80 fifteen (15) feet and shall not be used for vehicle parking, except any portion devoted to driveway use 81 for access to a garage or carport. 82 83 84 PART II:

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- A. If a provision of this ordinance conflicts with a provision of a previously adopted ordinance, this ordinance shall prevail.
 - B. This ordinance and its various sections, clauses and paragraphs are hereby declared to be severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or invalid, the remainder of the ordinance shall not be affected thereby.
 - C. The Municipal Council hereby directs that the official copy of the Provo City Code be updated to reflect the provisions enacted by this ordinance.
 - D. This ordinance shall take effect immediately after it has been posted or published in accordance with Utah Code 10-3-711, presented to the Mayor in accordance with Utah Code 10-3b-204, and recorded in accordance with Utah Code 10-3-713.

END OF ORDINANCE.

Provo City Planning Commission

Report of Action March 9, 2016

ITEM 2*

Ivory Homes requests an Ordinance Amendment to Section 14.49E.050(6)(a)(iii) and 14.49E.040(6)(b)(ii) regarding the allowance for both side yards to have a minimum setback of five feet instead of one five foot and one eight foot setback in single-family residential areas. North Lakeview Neighborhood. 16-0002OA, Brian Maxfield, 801-852-6429

The following action was taken by the Planning Commission on the above described item at its regular meeting of February 24, 2016:

RECOMMENDED APPROVAL

On a vote of 7:0, the Planning Commission Recommended that the Municipal Council approve the above noted application

Motion By: Brian Smith Second By: Deborah Jensen

Votes in Favor of Motion: Brian Smith; Deborah Jensen; Ed Jones; Fred Bandley; Jamin Rowan; Maria Winden; Ross

Ross Flom was present as Chair.

- The motion includes facts of the case, analysis, conclusions and recommendations outlined in the Staff Report, with any changes noted;
- The Planning Commission made one change to the staff recommendation: Recommendation to allow a 5 foot side yard on one side of V1.8 dwelling lots instead of both side yards having a minimum side yard of 8 feet (see wording in Exhibit A).
- Otherwise, the Planning Commission determination is generally consistent with the Staff analysis and determination.

RELATED ACTIONS

The Commission also gave approval to the related Case #14-0007PPA, an amendment to the Broadview Shores Design Standards (Plan Book) to reflect the ordinance amendment, subject to approval by the Council of the ordinance amendment (16-0002OA).

PLANNING COMMISSION RECOMMENDED TEXT AMENDMENT

The text of the proposed text amendment, as recommended by the Planning Commission, is attached as exhibit A.

STAFF PRESENTATION

The Staff Report to the Planning Commission provides details of the facts of the case and the Staff's analysis, conclusions, and recommendations. Key points addressed in the Staff's presentation to the Planning Commission included the following:

- In speaking with Provo City Power, the side yard utility easements are not utilized for power delivery to the individual homes or the development.
- The 5 foot side yard minimum for both side yards in the R1.5 and R1.6 is architecturally proportional to the nature of the development.
- The existing 8 foot minimum side-yard distance is appropriate for the V1.8 and V1.10 lots.

CITY DEPARTMENTAL ISSUES

• Concern from public works to make sure the action does not cause a conflict with the recorded plat.

NEIGHBORHOOD MEETING DATE

• City-wide application; all Neighborhood Chairs received notification.

NEIGHBORHOOD AND PUBLIC COMMENT

- The Neighborhood Chair of the Lakeview North Neighborhood, Beth Alligood, was present and addressed the Planning Commission during the public hearing.
- No Neighbors or other interested parties were present or addressed the Planning Commission.

CONCERNS RAISED BY PUBLIC

• Beth Alligood, presented the original concerns of the neighborhood, namely: (1) Would the change allow more units? (2) Would the change affect the aesthetic value of the development? and, (3) Would homes be too small? She stated that she had talked to the applicant's representative, Brad Mackay, and was satisfied with his response. Therefore, the neighborhood has no objections to the proposed changes.

APPLICANT RESPONSE

Key points addressed in the applicant's presentation to the Planning Commission included the following:

- There is no proposed change to the number of units or the general layout of the project.
- The V1.8 lots need to have a reduction to one side yard as this would facilitate certain, desirable home plans for the neighborhood, and in some cases for a third car garage, without detracting from the intent of the development.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- Ed Jones discussed his belief that access to backyards would be better with the wider setbacks as they currently exist.
- Fred Bandley asked details the resulting building footprints.

FINDINGS / BASIS OF PLANNING COMMISSION DETERMINATION

The Planning Commission identified the following finding as the basis of this decision or recommendation:

- The side yard utility easements are not essential to the Broadview Shores development.
- Allowing both side yards to have a minimum of 5 feet for the V1.5 and V1.6 lots would be in keeping with the intent of the zone and the development, without any undue impact on the nature of the development.
- Allowing one of the side yards for the V1.8 dwellings to be reduced to a minimum of 5 feet would be in keeping with the intent of the zone and the development, without any undue impact on the nature of the development.
- The existing 8 foot minimum for the V1.10 lots is proper and no change is warranted to those lots at this time.

Planning Commission Chair

Director of Community Development

See <u>Key Land Use Policies of the Provo City General Plan</u>, applicable <u>Titles of the Provo City Code</u>, and the <u>Staff Report to the Planning Commission</u> for further detailed information. The Staff Report is a part of the record of the decision of this item. Where findings of the Planning Commission differ from findings of Staff, those will be noted in this Report of Action.

<u>Legislative items</u> are noted with an asterisk (*) and require legislative action by the Municipal Council following a public hearing; the Planning Commission provides an advisory recommendation to the Municipal Council following a public hearing.

Administrative decisions of the Planning Commission (items not marked with an asterisk) **may be appealed** by submitting an application/notice of appeal, with the required application and noticing fees, to the Community Development Department, 330 West 100 South, Provo, Utah, **within fourteen (14) calendar days of the Planning Commission's decision** (Provo City office hours are Monday through Thursday, 7:00 a.m. to 6:00 p.m.).

BUILDING PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS

EXHIBIT "A" Proposed Changes - Item 16-0002OA

14.49E.050. One Family Homes at Celebration (Village 1).

Villages comprising of <u>subdivision</u> lots for one-family detached <u>dwellings</u> shall be classified as Village 1 (V1) and are subject to the following regulations:

- (6) Yard Requirements. The following minimum yard requirements shall apply in a Village 1 (V1) development of the Villages at Celebration SDP:
 - (a) Villages 1.5 (V1.5) and Villages 1.6 (V1.6).
 - (i) The minimum depth of a front yard shall be a minimum of fifteen (15) feet and a maximum of twenty-two (22) feet. Notwithstanding a lesser setback for the main building, garages, whether attached or not which are front loading to a public or private street, shall be setback at least twenty-six (26) feet from the property line to ensure a twenty (20) foot driveway depth, measured from the back of the sidewalk.
 - (ii) The minimum depth of a rear yard shall be fifteen (15) feet where dwellings have front-loading garages. If a dwelling has an alley-loading garage, then the garage shall be setback at least twenty (20) feet from the property line or shall be located within five (5) feet of said property line.
 - (iii) The minimum depth of a side yard shall be five (5) feet on one (1) side and eight (8) feet on the other side which shall be designated as a public utility easement. The eight (8) foot side yard may be reduced to five (5) feet where a waiver is obtained from the associated utility companies. On a corner lot, a side yard contiguous to a street shall not be less than fifteen (15) feet wide and shall not be used for vehicle parking, except any portion devoted to driveway use for access to a garage or carport.
- (b) Villages 1.8 (V1.8) and Villages 1.10 (V1.10).
 - (i) The minimum depth of a front or rear yard shall be a minimum of fifteen (15) feet and a maximum of twenty-two (22) feet. Notwithstanding a lesser setback for the main building, garages, whether attached or not, shall be setback at least twenty-six (26) feet from the property line when necessary to ensure a twenty (20) foot driveway depth, measured from the back of sidewalks.
 - (ii) The minimum depth of a side yard shall be eight (8) feet. The eight (8) foot side yard may be reduced to five (5) feet on one of the two side yards for V1.8 lots, where a waiver is obtained from the associated utility companies. On a corner lot, a side yard contiguous to a street shall not be less than fifteen (15) feet and shall not be used for vehicle parking, except any portion devoted to driveway use for access to a garage or carport.



Planning Commission Staff Report Ordinance Amendment Hearing Date: March 9, 2016

ITEM 2*

Ivory Homes requests an Ordinance Amendment to Section 14.49E.050(6)(a)(iii) and 14.49E.050(6)(b)(ii) regarding the allowance for both side yards to have a minimum setback of five feet instead of one five foot and one eight foot setback in single-family residential areas. *North Lakeview Neighborhood*. 16-0002OA, Brian Maxfield, 801-852-6429

Applicant:

Ivory Development LLC - Brad Mackay

Staff Coordinator: Brian Maxfield

Property Owner: Ivory Homes, LLC Parcel ID#: See Attachment "B"

Current Zone: SDP-5

Acreage: about 280 acres

Number of Existing Properties:

(see Attachment "B")

Council Action Required: Yes

ALTERNATIVE ACTIONS

1. **Approve** the amendment as requested. The Planning Commission should <u>state new</u> findings.

action <u>would be not be consistent</u> with the recommendations of the Staff Report.

- 2. **Deny** the requested amendment. The Planning Commission should <u>state new findings.</u> action <u>would be not be consistent</u> with the recommendations of the Staff Report.
- 3. **Continue** to a future date to obtain additional information or to further consider information presented. *The next available meeting date is March* 23, 2016, 5:30 p.m.

Relevant History:

- Apr 22, 2009 Planning Commission approved preliminary project plan subject to certain findings and conditions including approval of the rezoning.
- Oct 6, 2009 Rezoning approved by Municipal Council
- Sep 24, 2014 Planning Commission recommended adoption of revisions to original preliminary project plan which reflected changes to Lakeview Parkway alignment
- Dec 4, 2014 Municipal Council approval of revised development plan.
- May 13, 2015 Plan Book Adopted (15-0001ST)

Neighborhood Issues: Concern expressed by the neighborhood chair (Beth Alligood) include whether or not changes would alter the original intent of the zoning district and the associated project.

<u>Summary of Key Issues</u>: Appropriateness of proposed revisions to the original concept plan for the site.

Staff Recommendation:

Staff recommends approval of an amendment to part one of the amendment and denial of part two (see staff recommendation)

OVERVIEW

This item is a proposed ordinance amendment to Section 14.49E.050(6)(a)(iii) and Section 14.49E.050(6)(b)(ii). The ordinance relates specifically to the SDP-5 – Villages at Celebration Specific Development Plan Overlay Zone and the project now known as the Broadview Shores development. Section 14.49E.050(6)(a)(iii) requires single-family homes to have side yard setbacks of 5 feet and 8 feet in Villages 1.5 and Villages 1.6, and Section 14.49E.050(6)(b)(ii) requires both side yards to be at least 8 feet in Villages 1.8 and 1.10. Because of the nature of the change to the building setbacks, the Plan Book adopted for the project would also need to be amended. That revision is proposed concurrently to this item (14-0007PPA).

The applicant's reason for the amendment is to allow certain home plans to be able to be used on every lot. The applicant has stated that most of the homes which would be allowed due to the change are one-story rambler style homes, and that typically, the foot print of a rambler home is a bit wider than the 2 story plans.

This recorded development agreement addresses modifications to the plan in Paragraph 9 as follows:

No material modifications to the Plans shall be made after approval by the City without City's written approval of such modification. Developer may request approval of material modifications to the Plans from time to time as Developer may determine necessary or appropriate. For purposes of this Agreement, a material modification shall mean any modification which (i) increases the total perimeter size (footprint) of building area to be constructed on the Property by more than ten (10) percent, (ii) substantially changes the exterior appearance of the Project, or (iii) changes the functional design of the Project in such a way that materially affects traffic, drainage, or other design characteristics. Modifications to the Plans which do not constitute material modifications may be made without the consent of City. In the event of a dispute between Developer and City as to the meaning of "material modification," no modification shall be made without express City approval. Modifications shall be approved by City if such proposed modifications are consistent with City's then applicable rules and regulations for projects in the zone where the Property is located, and are otherwise consistent with the standard for approval set forth in Paragraph 6 hereof. (staff underline)

Staff believes no modification to the development agreement is required as the proposed changes would increase the footprint by only about 150 to 180 square feet, which is between 2.5% and 3.5% of the required minimum lot size for the V1.5 and V1.6 lots. For the V1.8 and V1.10 lots, the increase would be about 300 square feet, which is about 3 to 3.75% of the minimum lot size for those lots.

The four groups of Villages affected by the change include the areas designated V1.5; V1.6; V1.8; and V1.10. In each of the designations, the letter "V" stands for "Village;" the first number indicates single-family dwellings; and the second number indicates the minimum lot size in thousands of square feet. These lot sizes are also designated by color on the attached plan for the development. The color designations are: Gray = V1.5 / Orange = V1.6 / Yellow = V1.8 / White = V1.10.

The current wording of the ordinance requires:

14.49E.050

(6) Yard Requirements

(a) Villages 1.5 (V1.5) and Villages 1.6 (V1.6)

- (iii) The minimum depth of a side yard shall be five (5) feet on one (1) side and eight (8) feet on the other side which shall be designated as a public utility easement...
- (b) Villages 1.8 (V1.8) and Villages 1.10 (V1.10).
- (ii) The minimum depth of a side yard shall be eight (8) feet....

FINDINGS OF FACT

- The proposed amendment proposes no changes in the approved number of units, or the general use types as provided with the project plan approval.
- The proposed changes would only apply to Villages 1.5; 1.6; 1.8 and 1.10 of the development.

STAFF ANALYSIS

For Villages 1.5 and 1.6, the ordinance wording implies the eight foot distance was essentially required due to a desire, at that time, for a public utility easement. Provo City Power has indicated that they rarely use side yard easements, as all power connections come from the front or rear yard easements, especially in newer subdivisions. In practice, the side yard easements do not provide direct service for lots. Their only real need would be for trunk lines that run through the lot to other areas within a development. If an easement for a trunk line (sewer or storm drain) is needed, it is usually recorded and labeled as such on the plat, and not generally as a generic public utility easement. Staff also believes 5 foot side yards would not be out of visual proportion on 5,000 and 6,000 square foot lots.

For Villages 1.8 and 1.10, staff believes the existing side yard depth of eight feet is appropriate due to the larger minimum lot size. The minimum lot widths with those lots already allow for a larger home size.

Provo City Code Section 14.02.020(2) sets forth the following guidelines for consideration of ordinance text amendments:

Before recommending an amendment to this Title, the Planning Commission shall determine whether such amendment is in the interest of the public, and is consistent with the goals and policies of the Provo City General Plan. The following guidelines shall be used to determine consistency with the General Plan:

- (a) Public purpose for the amendment in question.
- The public purpose is to allow a quality development. The proposed change does not affect any policy or guideline of the General Plan.
- (b) Confirmation that the public purpose is best served by the amendment in question.
 - Smaller side yard setbacks can provide for more efficient use of property without detracting from the nature of the development type.
- (c) <u>Compatibility of the proposed amendment with General Plan policies, goals, and objectives.</u>

- There are no General Plan policies, goals, or objectives relating to residential building setbacks.
- (d) Consistency of the proposed amendment with the General Plan's timing and sequencing provisions on changes of use, insofar as they are articulated.
 - The proposed amendments would have no effect on the timing and sequencing provisions on changes of use.
- (e) <u>Potential of the proposed amendment to hinder or obstruct attainment of the</u> General Plan's articulated policies.
 - The proposed amendment has no potential to hinder or obstruct attainment of the General Plan's articulated policies.
- (f) Adverse impacts on adjacent land owners.
 - There would be no impact on adjacent property owners as the changes are interior to a large scale project.
- (g) <u>Verification of correctness in the original zoning or General Plan for the area in</u> question.
 - The proposed change does not affect the original zoning or General Plan for the area.
- (h) <u>In cases where a conflict arises between the General Plan Map and General Plan Policies</u>, <u>precedence shall be given to the Plan Policies</u>.
 - The proposed amendments would not create any conflict between the General Plan Map and the General Plan policies.

CONCLUSIONS

Planning staff does not believe easements should be required without any actual need or use. Provo City power has stated that all of their utility connections are through the front yard, and they would not need a side yard easement. If any connection for an individual unit were needed, it is extremely likely the owner would grant the easement as the alternative would be no service extension to the home.

STAFF RECOMMENDATION

- 1. Staff recommends the Planning Commission approve an amendment to Section 14.49E.050(6)(a)(iii) of the Zoning Ordinance related to the allowance for a minimum side yard of five feet for both side yards, when use of the easement is waived by the associated public utility companies and as represented in Exhibit "A."
- 2. Staff recommends the Planning Commission deny an amendment to Section 14.49E.050(6)(b)(ii) of the proposed amendment for the reasons that (1) the required minimum lot sizes allow sufficient width; and (2) the proportion of the home to the lot for V1.8 and V1.10 lots is better met by the current 8 foot minimum requirement.

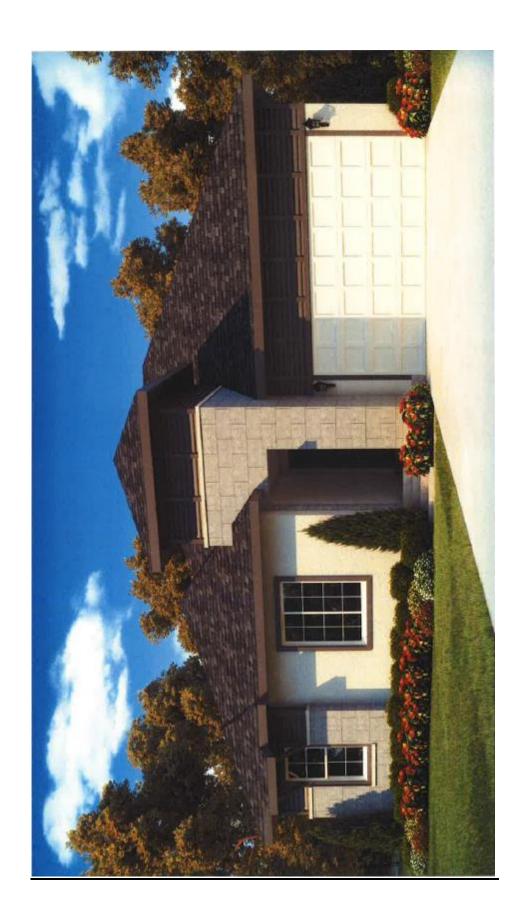


Overall Development Plan

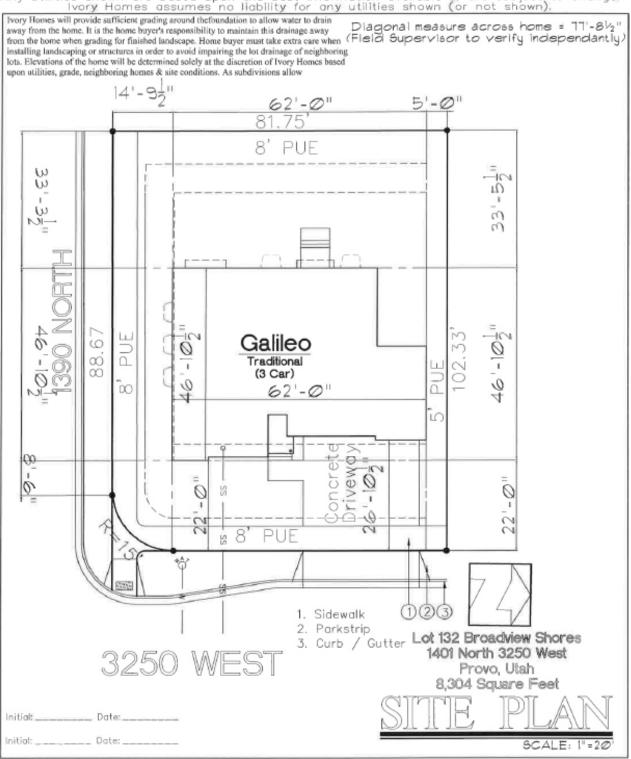


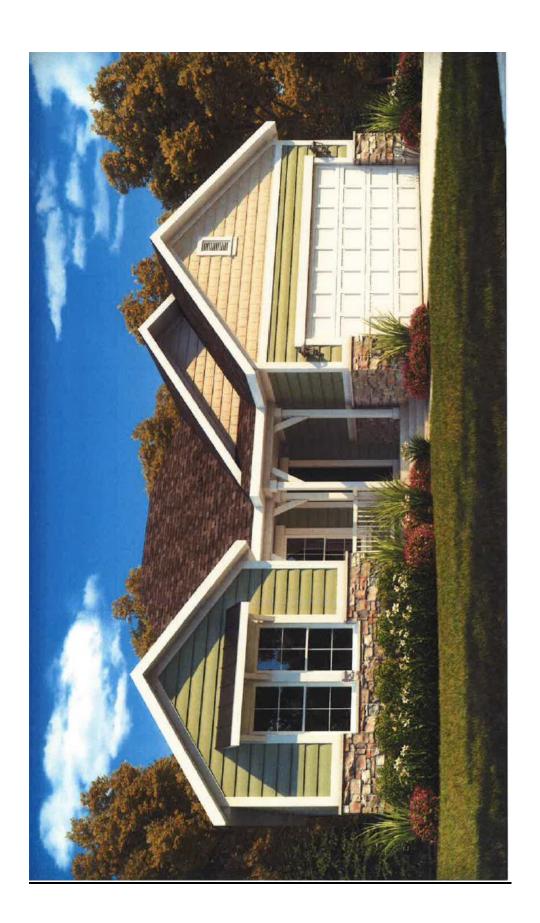
Area of Phase I

<u>Gray = V1.5 / Orange = V1.6 / Yellow = V1.8 / White = V1.10</u>



Any utilities shown are based upon the best information available & are subject to change, Ivory Homes assumes no liability for any utilities shown (or not shown).





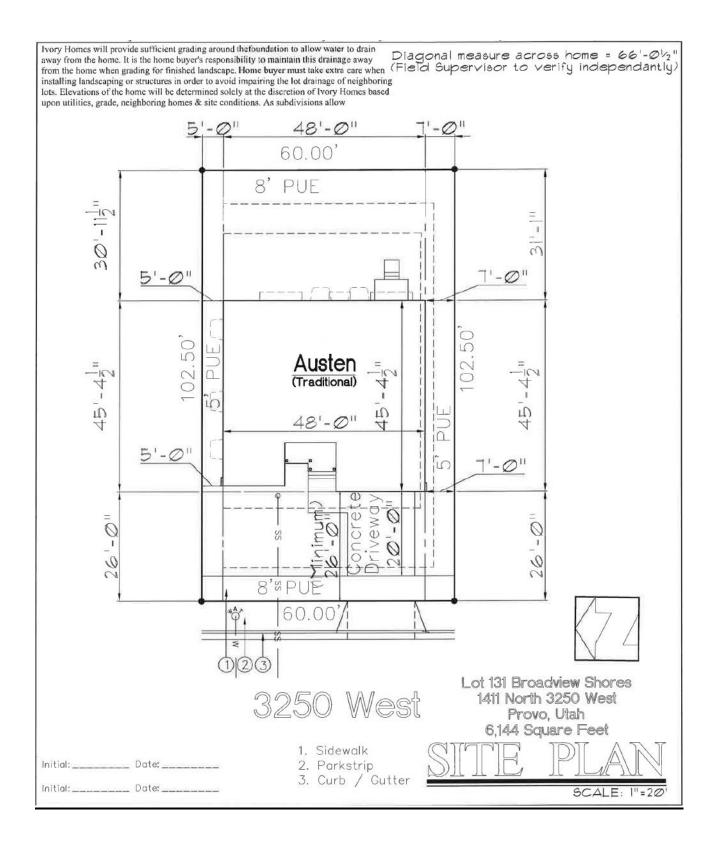


EXHIBIT "A"

Proposed Changes - Item 16-0002OA

14.49E.050. One Family Homes at Celebration (Village 1). SHARE IS SHARE

Villages comprising of <u>subdivision</u> lots for one-family detached <u>dwellings</u> shall be classified as Village 1 (V1) and are subject to the following regulations:

- (6) Yard Requirements. The following minimum yard requirements shall apply in a Village 1 (V1) development of the Villages at Celebration SDP:
 - (a) Villages 1.5 (V1.5) and Villages 1.6 (V1.6).
 - (i) The minimum depth of a front yard shall be a minimum of fifteen (15) feet and a maximum of twenty-two (22) feet. Notwithstanding a lesser setback for the main building, garages, whether attached or not which are front loading to a public or private street, shall be setback at least twenty-six (26) feet from the property line to ensure a twenty (20) foot driveway depth, measured from the back of the sidewalk.
 - (ii) The minimum depth of a rear yard shall be fifteen (15) feet where dwellings have front-loading garages. If a dwelling has an alley-loading garage, then the garage shall be setback at least twenty (20) feet from the property line or shall be located within five (5) feet of said property line.
 - (iii) The minimum depth of a side yard shall be five (5) feet on one (1) side and eight (8) feet on the other side which shall be designated as a public utility easement. The eight (8) foot side yard may be reduced to five (5) where a waiver is obtained from the associated utility companies. On a corner lot, a side yard contiguous to a street shall not be less than fifteen (15) feet wide and shall not be used for vehicle parking, except any portion devoted to driveway use for access to a garage or carport.
- (b) Villages 1.8 (V1.8) and Villages 1.10 (V1.10).
 - (i) The minimum depth of a front or rear yard shall be a minimum of fifteen (15) feet and a maximum of twenty-two (22) feet. Notwithstanding a lesser setback for the main building, garages, whether attached or not, shall be setback at least twenty-six (26) feet from the property line when necessary to ensure a twenty (20) foot driveway depth, measured from the back of sidewalks.
 - (ii) The minimum depth of a side yard shall be eight (8). On a corner lot, a side yard contiguous to a street shall not be less than fifteen (15) feet and shall not be used for vehicle parking, except any portion devoted to driveway use for access to a garage or carport.



PLANNING COMMISSION

MARCH 9, 2016

ITEM 2*

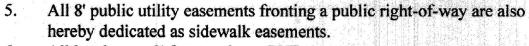
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Lakeview North Neighborhood.

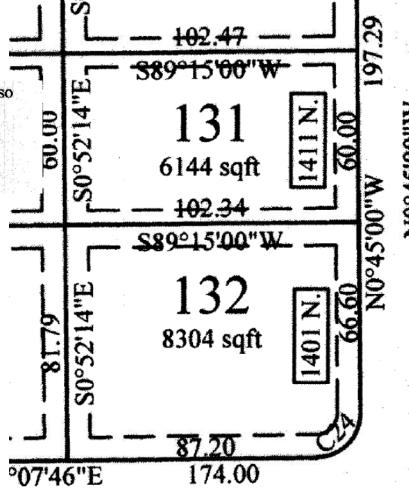
16-0002OA



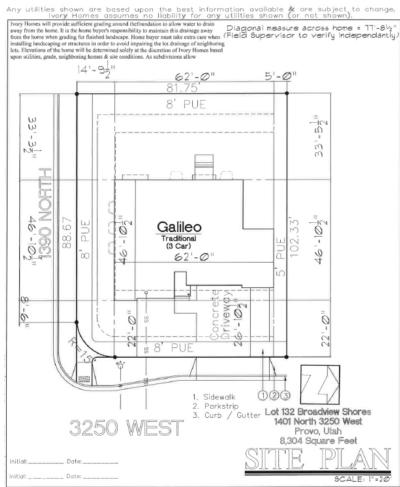




- 6. All lots have a 8' front and rear PUE.
- 7. All lots over 8,000 sf have a 8' side PUE.
- 8. All lots between 6,000 and 7,999 sf have a 5' side PUE.









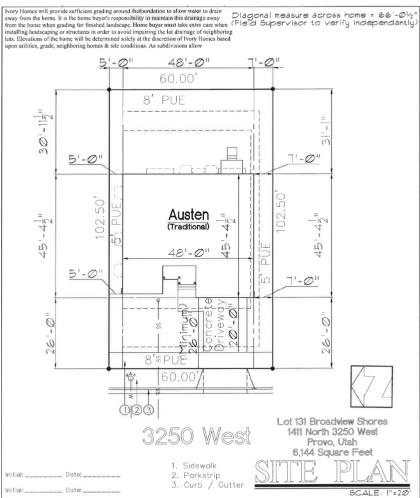


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60005417 **Provo City Corporation**

Daily Herald

Order Nbr 69680

Contact	Provo City Corporation	PO Number	
Address 1	P.O. BOX 1849	Rate	Provo City
Address 2		Order Price	48.46
City St Zip	PROVO UT 84603	Amount Paid	0.00
Phone	8018526505	Amount Due	48.46
Fax			
Section	Legals	Start/End Dates	04/11/2016 - 04/11/2016
SubSection		Insertions	 1
Category	999 Legal Notices	Size	39
Ad Key	69680-1	Salesperson(s)	CLASSIFIED DEFAULT
Keywords	69680-NOTICE OF PUBLIC HEARING	Taken By	Whitney Mason

Ad Proof

Notes

Publication

NOTICE OF PUBLIC HEARING BEFORE THE MUNICIPAL COUNCIL

Notice is hereby given that the Municipal Council of Provo, Utah will hold a public hearing on these items on Tuesday, May 3, 2016 beginning at 5:30 p.m. in the Council Chambers located at the Provo City Center Building, 351 West Center Street. Anyone interested is invited to attend.

The Provo City Community Development Department requests an Ordinance Amendment to Provo City Code Sections 14.41, 15.03.300, 15.03.310, 15.04.120, and 15.06.030 in order to clarify code and update submittal requirements for planning applications. City Wide Impact. 15-0012OA, Aaron Ardmore, 801-852-6404.

Ivory Homes requests an Ordinance Amendment to Section 14.49E.050(6)(a)(iii) and 14.49E.040(6)(b)(ii) regarding the allowance for both side yards to have a minimum setback of five feet instead of one five foot and one eight foot setback in single-family residential areas

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Legal Notice 69680 Published in The Daily Herald April 11, 2016

1 of 2 4/8/2016 10:13:39 AM SWN\promasow

Customer Ad Proof

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Legal Notice 69680 Published in The Daily Herald April 11, 2016

1	ORDINANCE 2016-
2	
3	AN ORDINANCE AMENDING THE ZONE MAP CLASSIFICATION OF
4	APPROXIMATELY 0.54 ACRES OF REAL PROPERTY, GENERALLY
5	LOCATED AT 1080 WEST 500 NORTH, FROM RESIDENTIAL
6	CONSERVATION (RC) TO LOW DENSITY RESIDENTIAL (LDR). NORTH
7	PARK NEIGHBORHOOD. (16-0002R)
8	WHITDEAC '4 is now and that the about firstion on the 7-m. Man of Duran Com
9	WHEREAS, it is proposed that the classification on the Zone Map of Provo for
10 11	approximately 0.54 acres of real property, generally located at 1080 West 500 North (as described in the attached Exhibit A), be amended from Residential Conservation (RC) to Low
12	Density Residential (LDR); and
13	Density Residential (EDR), and
14	WHEREAS, on March 9, 2016, the Planning Commission held a duly noticed public
15	hearing to consider the proposal and after such hearing the Planning Commission recommended
16	to the Municipal Council that the zoning of the property be changed as proposed; and
17	
18	WHEREAS, on April 19 2016, the Municipal Council held a duly noticed public
19	meeting, and on May 3, 2016 a duly noticed public hearing to ascertain the facts and receive
20	public comment regarding this matter, which facts and comments are found in the meeting and
21	hearing record; and
22	
23	WHEREAS, all persons for and against the proposed zone map classification amendment
24	were given an opportunity to be heard; and
25	WHEREAS after considering the Planning Commission's recommendation and feets
26 27	WHEREAS, after considering the Planning Commission's recommendation, and facts and comments presented to the Municipal Council, the Council finds (i) the Zone Map of Provo,
28	Utah should be amended as described herein; and (ii) the proposed zone map classification
29	amendment for the real property described in the attached Exhibit A reasonably furthers the
30	health, safety and general welfare of the citizens of Provo City.
31	
32	NOW, THEREFORE, be it ordained by the Municipal Council of Provo City, Utah, as
33	follows:
34	
35	PART I:

The Mayor is hereby authorized to negotiate and execute a development agreement as

proposed by the applicant for this zone change, consistent with the recommendation from the

Planning Commission that limits the site to three (3) lots as shown in Exhibit B with single-

36

37

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39

family detached units and includes the representations made by the applicant and the applicant's representatives in the Council Meeting of May 3, 2016.

PART II:

The classification on the Zone Map of Provo, Utah is hereby amended from the Residential Conservation (RC) Zone to the Low Density Residential (LDR) Zone for approximately 0.54 acres of real property generally located at 1080 West 500 North, as described in the attached Exhibit A. The effective date of this zone map change shall be the date of final execution of the development agreement described in Part I.

PART III:

A. If a provision of this ordinance conflicts with a provision of a previously adopted ordinance, this ordinance shall prevail.

B. This ordinance and its various sections, clauses and paragraphs are hereby declared to be severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or invalid, the remainder of the ordinance shall not be affected thereby.

C. The Municipal Council hereby directs that the official copy of the Zone Map of Provo City, Utah be updated and codified to reflect the provisions enacted by this ordinance.

D. Except as otherwise stated in Part II, this ordinance shall take effect immediately after it has been posted or published in accordance with Utah Code 10-3-711, presented to the Mayor in accordance with Utah Code 10-3b-204, and recorded in accordance with Utah Code 10-3-713.

END OF ORDINANCE.

 70 <u>Exhibit A</u>

PARCEL 1:

BEGINNING AT A POINT WHICH IS LOCATED SOO°46'02"E 1927.42 FEET ALONG THE SECTION LINE AND WEST 407.66 FEET AND N89°53'52"W 55.00 FEET FROM THE NORTHEAST CORNER OF SECTION 2, TOWNSHIP 7 SOUTH, RANGE 2 EAST, SLB&M; THENCE SOO°11'44"E 63.42 FEET, THENCE SO8°00'00"W 20.06 FEET, THENCE SOO°11'44"E 58.69 FEET TO THE NORTH LINE OF SOO NORTH STREET, THENCE ALONG STREET N89°40'32"W 46.73 FEET, THENCE 24.99 FEET ALONG THE ARC OF A 16.00 FOOT RADIUS CURVE TO THE RIGHT (CHORD BEARS N44°56'08"W 22.52 FEET), THENCE NOO°11'44"W 125.89 FEET ALONG THE EAST LINE OF 1080 WEST STREET, THENCE S89°53'52"E 65.44 FEET TO THE POINT OF BEGINNING. AREA OF ABOVE DESCRIBED PARCEL CONTAINING 0.207 ACRES.

PARCEL 2:

BEGINNING AT A POINT ON THE WEST LINE OF THE WILLOWS SUBDIVISION PLAT "C", WHICH POINT IS LOCATED SOO°46'02"E 1927.42 FEET ALONG THE SECTION LINE AND WEST 407.66 FEET FROM THE NORTHEAST CORNER OF SECTION 2, TOWNSHIP 7 SOUTH, RANGE 2 EAST, SLB&M; THENCE SOO°15'07"E 142.22 FEET ALONG THE WEST LINE OF PLAT "C" WILLOWS SUBDIVISION TO THE NORTH LINE OF 500 NORTH STREET, THENCE ALONG STREET N89°40'32"W 58.00 FEET, THENCE NOO°11'44"W 8.69 FEET, THENCE NO8°00'00"E 20.06 FEET, THENCE NOO°11'44"W 63.42 FEET, THENCE S89°53'52"E 55.00 FEET TO THE POINT OF BEGINNING. AREA OF ABOVE DESCRIBED PARCEL CONTAINING 0.184 ACRES.

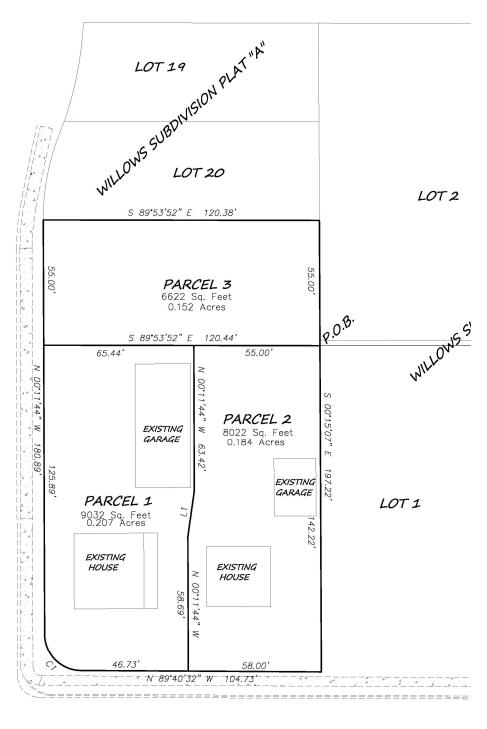
PARCEL 3:

71

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BASIS OF BEARINGS IS SOO°46'02"E ALONG THE SECTION LINE FROM THE NORTHEAST CORNER OF SECTION 2 TO THE EAST QUARTER CORNER OF SECTION 2.





500 NORTH STREET

Provo City Planning Commission

Report of Action March 9, 2016

ITEM 4*

Adam Hall requests a Zone Change from Residential Conservation (RC) to Low Density Residential (LDR) to facilitate a three-lot subdivision for property located at approximately 1080 West 500 North. North Park Neighborhood. 16-0002R, Dustin Wright, 801-852-6414. This item was continued from the February 24, 2016 Planning Commission Hearing.

The following action was taken by the Planning Commission on the above described item at its regular meeting of March 9, 2016:

RECOMMENDATION TO APPROVE WITH CONDITION

On a vote of 6:0, the Planning Commission recommended that the Municipal Council approve the above noted application with the condition the applicant enter into a Development Agreement that limits the site to three (3) lots as shown in Attachment 1 of the staff report, with single-family detached units.

Motion By: Jamin Rowan Second By: Deborah Jensen

Votes in Favor of Motion: Jamin Rowan, Deborah Jensen, Ed Jones, Ross Flom, Maria Winden, Fred Bandley Ross Flom was present as Chair.

Includes facts of the case, analysis, conclusions and recommendations outlined in the Staff Report, with any changes noted. Planning Commission determination is generally consistent with the Staff analysis and determination.

LEGAL DESCRIPTION FOR PROPERTY TO BE REZONED

The property to be rezoned to the LDR Zone is described in the attached Exhibit A.

DEVELOPMENT AGREEMENT

Applies - referred applicant to Council Attorney.

STAFF PRESENTATION

The Staff Report to the Planning Commission provides details of the facts of the case and the Staff's analysis, conclusions, and recommendations. Key points addressed in the Staff's presentation to the Planning Commission included the following:

- The RC zone does not allow parcels to be divided and the zone change would be needed to create the new parcel.
- The LDR zone could allow for more units than what the applicant is proposing, the applicant has informed staff that he would enter into a development agreement with the City to limit the site to three detached single-family homes for the three parcels.

CITY DEPARTMENTAL ISSUES

- City Coordinators Review Committee does not have any issues with the rezone
- A subdivision plat will be needed once zoning is approved.

NEIGHBORHOOD MEETING DATE

The Neighborhood Chair determined that a neighborhood meeting would not be required.

NEIGHBORHOOD AND PUBLIC COMMENT

- The Neighborhood Chair was present /addressed the Planning Commission during the public hearing.
- Neighbors or other interested parties were present or addressed the Planning Commission.

CONCERNS RAISED BY PUBLIC

Any comments received prior to completion of the Staff Report are addressed in the Staff Report to the Planning Commission. Key issues raised in written comments received subsequent to the Staff Report or public comment during the public hearing included the following:

- Questions about the existing zone and what the zone change would do.
- How parking may become an issue.
- The homes are small and do not attract families.
- Existing homes are believed to have structural issues.
- Over occupancy in the neighborhood.

APPLICANT RESPONSE

Key points addressed in the applicant's presentation to the Planning Commission included the following:

- Having the rezone will allow the property lines to be adjusted to better comply with setbacks.
- He purchased the properties that were in disrepair and has been remodeling them and improving the appeal.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- Development agreement would be recorded and run with the land.
- This proposal would be a good use of the land and fit with the neighborhood character.
- Good revitalization of existing property.
- Infill developments like this one are good for the city and take advantage of existing infrastructure.
- Neighbors are encouraged to use zoning enforcement to take care of over occupancy or parking issues.

Planning Commission Chair

Director of Community Development

See <u>Key Land Use Policies of the Provo City General Plan</u>, applicable <u>Titles of the Provo City Code</u>, and the <u>Staff Report to the Planning Commission</u> for further detailed information. The Staff Report is a part of the record of the decision of this item. Where findings of the Planning Commission differ from findings of Staff, those will be noted in this Report of Action.

<u>Legislative items</u> are noted with an asterisk (*) and require legislative action by the Municipal Council following a public hearing; the Planning Commission provides an advisory recommendation to the Municipal Council following a public hearing.

Administrative decisions of the Planning Commission (items not marked with an asterisk) **may be appealed** by submitting an application/notice of appeal, with the required application and noticing fees, to the Community Development Department, 330 West 100 South, Provo, Utah, **within fourteen (14) calendar days of the Planning Commission's decision** (Provo City office hours are Monday through Thursday, 7:00 a.m. to 6:00 p.m.).

BUILDING PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS

EXHIBT A

PARCEL 1:

BEGINNING AT A POINT WHICH IS LOCATED SOO°46'02"E 1927.42 FEET ALONG THE SECTION LINE AND WEST 407.66 FEET AND N89°53'52"W 55.00 FEET FROM THE NORTHEAST CORNER OF SECTION 2, TOWNSHIP 7 SOUTH, RANGE 2 EAST, SLB&M; THENCE SOO°11'44"E 63.42 FEET, THENCE SO8°00'00"W 20.06 FEET, THENCE SOO°11'44"E 58.69 FEET TO THE NORTH LINE OF 500 NORTH STREET, THENCE ALONG STREET N89°40'32"W 46.73 FEET, THENCE 24.99 FEET ALONG THE ARC OF A 16.00 FOOT RADIUS CURVE TO THE RIGHT (CHORD BEARS N44°56'08"W 22.52 FEET), THENCE NOO°11'44"W 125.89 FEET ALONG THE EAST LINE OF 1080 WEST STREET, THENCE S89°53'52"E 65.44 FEET TO THE POINT OF BEGINNING. AREA OF ABOVE DESCRIBED PARCEL CONTAINING 0.207 ACRES.

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BASIS OF BEARINGS IS SOO°46'02"E ALONG THE SECTION LINE FROM THE NORTHEAST CORNER OF SECTION 2 TO THE EAST QUARTER CORNER OF SECTION 2.



Planning Commission Staff Report Rezone

Hearing Date: March 9, 2016

ITEM 4*

Adam Hall requests a Zone Change from Residential Conservation (RC) to Low Density Residential (LDR) to facilitate a three-lot subdivision for property located at approximately 1080 West 500 North. *North Park Neighborhood.* 16-0002R, Dustin Wright, 801-852-6414. *This item was continued from the February 24, 2016 Planning Commission Hearing.*

Applicant: Adam Hall

Staff Coordinator: Dustin Wright

Property Owner: Pazis 1050 LLC and 440

N SF LLC

Parcel ID#: 210170025 and 210170052 Current Zone: Residential Conservation

(RC)

Proposed Zone: Low Density Residential

(LDR)

General Plan Des.: Residential

Acreage: 0.21 and 0.33 Number of Properties: 2

Number of Lots: 2

Development Agreement Proffered: Yes

Council Action Required: Yes

ALTERNATIVE ACTIONS

- 1. **Continue** to a future date to obtain additional information or to further consider information presented. *The next available meeting date is March 23, 2016, 5:30 p.m.*
- 2. **Recommend Denial** of the proposed rezoning. This would be <u>a change</u> from the Staff recommendation; the Planning Commission should state new findings

Current Legal Use:

Both lots are one-family residential.

Relevant History:

In 2002 the property was rezoned to its current zone, RC.

Neighborhood Issues:

The Neighborhood Chair contacted staff regarding parking and to ensure that there would be sufficient parking required. He did not indicate that he would hold a Neighborhood Meeting for this item.

Summary of Key Issues:

- Location of existing non-conforming structures.
- Minimum lot requirements for residential zones.
- Potential for more than the proposed three units onsite.
- Proffered Development Agreement.

Staff Recommendation:

Move to forward a recommendation to approve the proposed rezoning to the Municipal Council with a Development Agreement that limits the site to three (3) lots as shown in Attachment 1, with single-family detached units based on information and finding presented in the Staff Report.

This action <u>would be consistent</u> with the recommendation of the Staff Report. Any changes should be stated with the motion.

OVERVIEW

The applicant is requesting to change the zoning of two lots from the RC zone to the LDR zone to facilitate the creation of a third lot (Parcel 3) that would be comprised of the rear portion of both existing lots (Parcel 1 and 2). Parcels 1 and 2 would keep their detached single-family homes and the new lot would be able to accommodate a new detached single-family home.

The applicant has proffered a Development Agreement with the City to ensure that this is the type of development that would take place if the rezone is passed, and that additional units would not be attempted.



GENERAL PLAN POLICIES

1. Provo City Code Section 14.02.020(2) sets forth the following guidelines for consideration of zoning map amendments:

Upon receipt of a petition by the Planning Commission, the Commission shall hold a public hearing in accordance with the provisions of Section 14.02.010 of this Title and may approve, conditionally approve, or deny the preliminary project plan. Before recommending an amendment to this Title, the Planning Commission shall determine whether such amendment is in the interest of the public, and is consistent with the goals and policies of the Provo City General Plan. The following guidelines shall be used to determine consistency with the General Plan: (Staff responses are bolded)

- (a) Public purpose for the amendment in question.
 Maintaining the residential use of land as designated in the General Plan Map.
- (b) Confirmation that the public purpose is best served by the amendment in question.
 - This amendment to the zoning map conforms to the General Plan Map designation.
- (c) Compatibility of the proposed amendment with General Plan policies, goals, and objectives.
 - The proposed map amendment would allow for the creation of a new single-family home (Parcel 3). This is a key land use policy in Ch. 6 of the General Plan where is says "Promote owner-occupancy throughout the neighborhood by limiting new development to detached, one-family homes and the rehabilitation of existing one-family homes..."
- (d) Consistency of the proposed amendment with the General Plan's "timing and sequencing" provisions on changes of use, insofar as they are articulated.
 Timing and sequencing issues are not created with this proposed amendment.
- (e) Potential of the proposed amendment to hinder or obstruct attainment of the General Plan's articulated policies.
 - The amendment is in line with the General Plan's policies.
- (f) Adverse impacts on adjacent land owners.
 - The amendment would allow for the creation of Parcel 3 that could have a single-family home. Parcels 1 and 2 have enough square footage to allow for a twin home/duplex.
- (g) Verification of correctness in the original zoning or General Plan for the area in question.
 - The zoning and General Plan designation have been verified and are included in this report.
- (h) In cases where a conflict arises between the General Plan Map and General Plan Policies, precedence shall be given to the Plan Policies.
 - The Policies and Map do not conflict with this proposal.

FINDINGS OF FACT

- 1. Both properties are located in the RC zone.
- 2. The existing lot line between the two lots is located over an existing structure creating a nonconformity.
- 3. The RC zone does not allow for new lots to be created (14.32.030).
- 4. The LDR zone allows single-family detached homes on 5,000 square foot lots.
- 5. The LDR zone allows twin home/duplexes on 8,000 square foot lots, although no twin homes are proposed.
- 6. The LDR zone allows one-family attached (townhomes) on 10,000 square foot lots at 15 units per acre although no townhomes are proposed.
- 7. Parcel 3 is less than 8,000 square feet and could only have a detached single-family home in the LDR zone.
- 8. Parcels 1 and 2 are over 8,000 square feet and could have a twin home or a duplex in the LDR zone.
- 9. The entire site is 23,676 square feet and could have approximately seven (7) townhome units in the LDR zone.
- 10. The LDR zone has a minimum lot width of 40 feet.
- 11. Other residential zones require a minimum zone width greater than the 55 feet this new lot would have.
- 12. Parking for detached single-family homes is three (3) per unit.

STAFF ANALYSIS

The current RC zone does not allow for new lots to be created and therefore a rezone is desired for a new lot to be created.

The site currently has a nonconforming structure due to the proximity to the property line between the two lots. The proposed lot split would help to realign the property line to bring the property more into conformance with setback requirements.

The new zone would allow for the rear of both existing lots to be divided off and combined into new parcel for a single-family residential home that would be able to meet the lot requirements in the LDR zone, but not any of the other single-family residential zones which is why this zone is being requested.

The new zone could also allow for approximately seven (7) townhome units if all the land was combined into one parcel. This is not the stated desire of the applicant, however, it is concerning to staff because this is a possibility once the rezone is done.

The applicant has proffered to do a Development Agreement with the City to ensure that additional units are not created on this site and that there would only be three (3) homes total, each on their own lot.

CONCLUSIONS

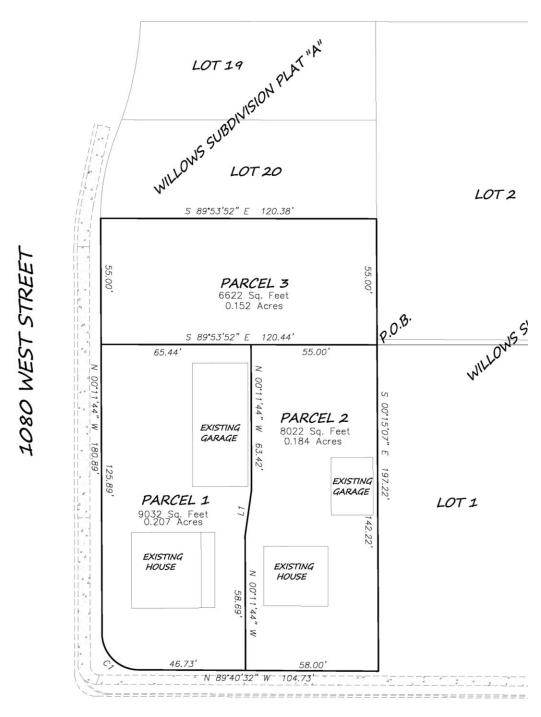
The proposed zone change would allow for a new parcel to be created that would be consistent with the General Plan designation. The lots would be able to meet the requirements in the LDR zone. There would be the potential for Parcel 1 and 2 to develop as twin homes or duplexes because of their lot size or for the parcels to be combined and an unanticipated townhome development to be built. These unanticipated outcomes are concerning to staff, but with a Development Agreement, these concerns can be addressed.

STAFF RECOMMENDATION

Move to forward a recommendation to approve the proposed rezoning to the Municipal Council with a Development Agreement that limits the site to three (3) lots as shown in Attachment 1, with single-family detached units based on information and finding presented in the Staff Report.

This action <u>would be consistent</u> with the recommendation of the Staff Report. Any changes should be stated with the motion.

ATTACHMENT 1 – Preliminary Plat



500 NORTH STREET



PLANNING COMMISSION

MARCH 9, 2016

ITEM 4*

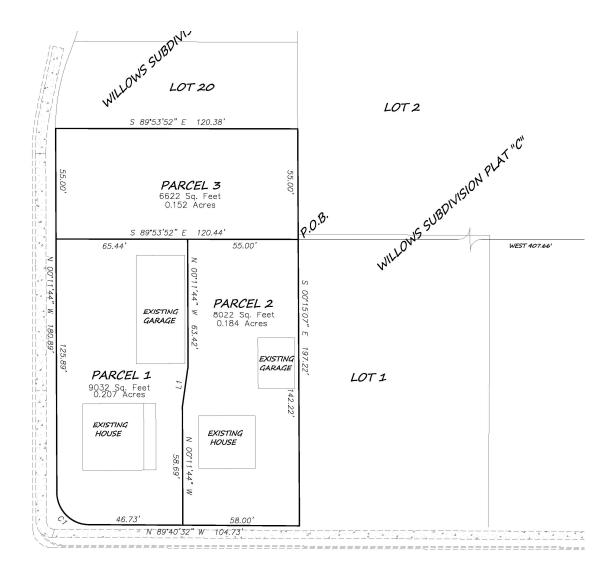
Adam Hall requests a Zone Change from Residential Conservation (RC) to Low Density Residential (LDR) to facilitate a three-lot subdivision for property located at approximately 1080 West 500 North.

North Park Neighborhood.

16-0002R







60005417 **Provo City Corporation**

Daily Herald

Order Nbr 69680

Contact	Provo City Corporation	PO Number	
Address 1	P.O. BOX 1849	Rate	Provo City
Address 2		Order Price	48.46
City St Zip	PROVO UT 84603	Amount Paid	0.00
Phone	8018526505	Amount Due	48.46
Fax			
Section	Legals	Start/End Dates	04/11/2016 - 04/11/2016
SubSection		Insertions	 1
Category	999 Legal Notices	Size	39
Ad Key	69680-1	Salesperson(s)	CLASSIFIED DEFAULT
Keywords	69680-NOTICE OF PUBLIC HEARING	Taken By	Whitney Mason

Ad Proof

Notes

Publication

NOTICE OF PUBLIC HEARING BEFORE THE MUNICIPAL COUNCIL

Notice is hereby given that the Municipal Council of Provo, Utah will hold a public hearing on these items on Tuesday, May 3, 2016 beginning at 5:30 p.m. in the Council Chambers located at the Provo City Center Building, 351 West Center Street. Anyone interested is invited to attend.

The Provo City Community Development Department requests an Ordinance Amendment to Provo City Code Sections 14.41, 15.03.300, 15.03.310, 15.04.120, and 15.06.030 in order to clarify code and update submittal requirements for planning applications. City Wide Impact. 15-0012OA, Aaron Ardmore, 801-852-6404.

Ivory Homes requests an Ordinance Amendment to Section 14.49E.050(6)(a)(iii) and 14.49E.040(6)(b)(ii) regarding the allowance for both side yards to have a minimum setback of five feet instead of one five foot and one eight foot setback in single-family residential areas

five feet instead of one five foot and one eight foot setback in single-family residential areas. North Lakeview Neighborhood. 16-0002OA, Brian Maxfield, 801-852-6429.

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Adam Hall requests a Zone Change from Residential Conservation (RC) to Low Density Residential (LDR) to facilitate a three-lot subdivision for property located at approximately 1080 West 500 North. North Park Neighborhood. 16-0002R, Dustin Wright, 2019.56.4444 801-852-6414.

801-852-6414.

Brian Dabb requests an Ordinance Text Amendment to Section 14.34.500 to allow six-foot, solid fencing within the front setback in Residential Zones. City Wide Impact. 16-00010A, Robert Mills, 801-852-6407.

Legal Notice 69680 Published in The Daily Herald April 11, 2016

1 of 2 4/8/2016 10:13:39 AM SWN\promasow

Customer Ad Proof

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Publication	Herald Extra Online		
Contact	Provo City Corporation	PO Number	
Address 1	P.O. BOX 1849	Rate	Provo City
Address 2		Order Price	48.46
City St Zip	PROVO UT 84603	Amount Paid	0.00
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Legal Notice 69680 Published in The Daily Herald April 11, 2016

1	ORDINANCE 2016-
2 3 4 5 6	AN ORDINANCE AMENDING PROVO CITY CODE SECTION 14.34.500 (FENCING STANDARDS FOR RESIDENTIAL ZONES) TO ALLOW SIX-FOOT, SOLID FENCING WITHIN THE FRONT SETBACK IN RESIDENTIAL ZONES. CITY WIDE IMPACT. (16-00010A)
7 8 9 10 11	WHEREAS, it is proposed that amendments be made to Provo City Code Section 14.34.500 (Fencing Standards for Residential Zones) to allow six-foot, solid fencing within the front setback in residential zones; and
12 13 14	WHEREAS, solid walls, fences, or hedges which are sight obscuring are already permitted in the required front yard to a maximum of three (3) feet; and
15 16	WHEREAS, walls, fences, or hedges which are not sight obscuring (at least 50% open) are permitted in the front yard to a maximum of six (6) feet; and
17 18 19 20	WHEREAS, city staff is concerned about the potential impacts to public health and safety if applicants are allowed to include a park strip toward their front yard setback requirements; and
21 22 23	WHEREAS, on March 23, 2016, the Planning Commission held a duly noticed public hearing to consider the proposal and after such hearing the Planning Commission recommended denial to the Municipal Council; and
242526272820	WHEREAS, on April 19 2016, the Municipal Council held a duly noticed public meeting, and on May 3, 2016 a duly noticed public hearing to ascertain the facts and receive public comment regarding this matter, which facts and comments are found in the meeting and hearing record; and
29 30 31	WHEREAS, all persons for and against the proposed amendment were given an opportunity to be heard during the public hearing; and
32 33 34 35 36 37	WHEREAS, after considering the Planning Commission's recommendation, and facts and comments presented to the Municipal Council, the Council finds (i) Provo City Code Section 14.34.500 (Fencing Standards for Residential Zones) should be amended and (ii) this action, as set forth below, reasonably furthers the health, safety and general welfare of the citizens of Provo City.
38 39 40 41	NOW, THEREFORE, be it ordained by the Municipal Council of Provo City, Utah, as follows:
42 43	PART I:

Provo City Code Section 14.34.500 (Fencing Standards for Residential Zones) is hereby amended as follows:

14.34.500. Fencing Standards for Residential Zones.

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- 48 Fencing in the One-Family Residential (R1), Residential Conservation (RC), Low Density Residential (LDR),
- 49 Medium Density Residential (MDR), High Density Residential (HDR), Campus High Density Residential
- 50 (CHDR) and Campus Mixed Use (CMU) Zones shall comply with the following standards:
- 51 (1) Structural fences six (6) feet or less in height shall not require a building permit. Structural fences over six
- 52 (6) feet in height shall require a building permit from the Building Inspection Division. A structural fence or
- vegetative fence shall not create a sight-distance hazard to vehicular or pedestrian traffic as defined in
- 54 Section 14.34.100, Provo City Code, and as determined by the Provo City Traffic Engineer. Fencing materials
- are limited to lumber, vinyl, chain-link, masonry, wrought iron and decorative metal, vegetation or other similar
- fencing materials. Pallets, scrap metal, tarps or other non-fencing materials are not permitted. Any fence, wall,
- 57 gate, hedge or structure maintained in such condition of deterioration or disrepair as to constitute a nuisance or
- a hazard to persons or property shall be repaired or replaced. Standards for barbed wire and similar types
- of fences are listed in Section 9.14.020, Provo City Code.
 - (a) Front Yard. Solid walls, fences or hedges which are sight obscuring may be built to a maximum of three (3) feet in height in any required front yard perimeter. Such walls, fences, or hedges may slope upward to connect to a higher side yard fence. The length of a sloped fence section shall not exceed one (1) section or a maximum of ten (10) feet. Walls, fences or hedges which are not sight obscuring (at least fifty percent (50%) open) may be built to a maximum of six (6) feet in height in a front yard.
 - (b) Side Yard. Solid sight-obscuring fences or walls and non-sight-obscuring fences (at least fifty percent (50%) open) may be built to a maximum of six (6) feet.
 - (c) Rear Yard. Walls and fences in a rear yard may exceed six (6) feet; provided, that a building permit is first obtained from the Building Inspection Division prior to construction.
 - (d) Corner Lots. A fence not more than six (6) feet in height may be constructed in a side yard adjacent to a public street on a corner lot, provided it does not extend into the clear vision area of a corner lot as defined by Section 14.34.100, Provo City Code.
 - (e) Entryways. Entry treatments to private driveways or subdivision development entrances may not exceed six (6) feet at the highest point, except lamps on pillars, and must comply with the provisions of Section 14.34.100, Provo City Code. Pillars shall be allowed to extend up to eighteen (18) inches above the allowable height of a fence; provided, that the pillars shall have a minimum spacing of no less than six (6) feet, measured face to face.
 - (f) Grade Differences. Where there is a difference in the grade of the properties on either side of a fence, wall or other similar structure, the height of the fence shall be measured from the natural grade of the property upon which it is located.

- (g) Retaining Walls. Where a retaining wall protects a cut below or a fill above the natural grade and is located on the line separating lots or properties, such retaining wall may be topped by a fence, wall or hedge of the same height that would otherwise be permitted at the location if no retaining wall existed.

 (h) Privacy Walls. Privacy walls which project into a required front yard may be built to a maximum of
 - three (3) feet, except where permitted under 14.34.500(1)(j).
 - (i) Double Frontage Lots. A fence or wall may be erected in the rear yard of a double frontage lot to a maximum of six (6) feet if the rear yard fencing is common to the street, subject to staff review.
 - (j) Park Strips. In residential zones where a park strip that is maintained by the adjoining property owners(s) divides the street curb and city sidewalk, the width of the park strip, excluding sidewalk width, may be deducted from the required front yard perimeter for front side yard fencing requirements only, provided it does not extend into the clear vision area of a corner lot as defined by Section Provo City Code 14.34.100

PART II:

- A. If a provision of this ordinance conflicts with a provision of a previously adopted ordinance, this ordinance shall prevail.
- B. This ordinance and its various sections, clauses and paragraphs are hereby declared to be severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or invalid, the remainder of the ordinance shall not be affected thereby.
- C. The Municipal Council hereby directs that the official copy of the Provo City Code be updated to reflect the provisions enacted by this ordinance.
- D. This ordinance shall take effect immediately after it has been posted or published in accordance with Utah Code 10-3-711, presented to the Mayor in accordance with Utah Code 10-3b-204, and recorded in accordance with Utah Code 10-3-713.

END OF ORDINANCE.

Provo City Planning Commission

Report of Action

March 23, 2016

ITEM 3*

Brian Dabb requests an Ordinance Text Amendment to Section 14.34.500 to allow six-foot, solid fencing within the front setback in Residential Zones. *City Wide Impact.* 16-0001OA, Robert Mills, 801-852-6407

The following action was taken by the Planning Commission on the above described item at its regular meeting of March 23, 2016:

RECOMMEND DENIAL

On a vote of 8:0, the Planning Commission recommended that the Municipal Council deny the above noted application with the additional recommendation that the applicant be given six (6) months to come into compliance with the specific property he owns at 911 East Center Street.

Motion By: Kermit McKinney Second By: Fred Bandley

Votes in Favor of Motion: Fred Bandley, Ross Flom, Deborah Jensen, Ed Jones, Kermit McKinney, Jamin Rowan,

Brian Smith, Maria Winden Ross Flom was present as Chair.

• Includes facts of the case, analysis, conclusions and recommendations outlined in the Staff Report, with any changes noted; Planning Commission determination is generally consistent with the Staff analysis and determination.

STAFF PRESENTATION

The Staff Report to the Planning Commission provides details of the facts of the case and the Staff's analysis, conclusions, and recommendations. Key points addressed in the Staff's presentation to the Planning Commission included the following:

- Staff explained the proposed ordinance amendment and that adoption of the proposed amendment would allow an applicant to deduct the width of a park strip adjacent to the front of a lot from the required front yard for a six (6) foot solid wall, fence, or hedge.
- Solid walls, fences, or hedges which are sight obscuring are already permitted in the required front yard to a maximum of three (3) feet.
- Walls, fences, or hedges which are not sight obscuring (at least 50% open) are permitted in the front yard to a maximum of six (6) feet.
- City staff is concerned about the potential impacts to public health and safety if applicants are allowed to include a park strip toward their front yard setback requirements. It is likely that such an action will result in undesirable unforeseen consequences.

CITY DEPARTMENTAL ISSUES

- Parks and Recreation Department is concerned that the proposed amendment does not follow the intent of the zoning code to minimize unsafe and potential hiding areas.
- The Engineering division of the Public Works Department is concerned regarding the potential impacts to sight triangles for traffic and pedestrian safety at the sidewalk, especially as the amendment would initiate a city-wide change.

NEIGHBORHOOD MEETING DATE

• City-wide application; all Neighborhood Chairs received notification.

NEIGHBORHOOD AND PUBLIC COMMENT

- This item was City-wide or affected multiple neighborhoods.
- Staff was contacted by the Neighborhood Chair for the Lakeview North Neighborhood and a resident of the Timp Neighborhood, who is coordinating the neighborhood meetings in the absence of a current chair; both of whom opposed the proposed ordinance amendment.
- The Franklin Neighborhood Chair was present at the meeting and spoke in favor of the proposed amendment.
- One member of the public spoke in favor of the proposed amendment.

CONCERNS RAISED BY PUBLIC

No additional concerns were raised by the public.

APPLICANT RESPONSE

Key points addressed in the applicant's presentation to the Planning Commission included the following:

- The applicant explained that a great degree of ambiguity seems to currently exist in how the current fencing standards are understood and applied. There are many examples of situations in the City where current fences do not comply with the required standards.
- He brought to light that the City itself has erected a fence on the border of the State Hospital that does not comply with the current fencing standards in the City Code.
- He explained that the proposed amendment would allow the width of a park strip adjacent to the front yard could be applied to the required front yard setback. This would alleviate certain violations within the City, but would not be a complete "cure-all" for any fence in violation.
- He felt that the proposed amendment still satisfies the intent of the ordinance to provide adequate site lines and not impede pedestrian or vehicular traffic.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- There is a potential for unintended consequences, such as the possibility of a driveway adjacent to the solid wall, fence, or hedge; unsafe hiding places; and the potential for future road widening, that would be a negative outcome of approval of the proposed amendment.
- The applicant could pursue a variance application, but it would be difficult to support an assertion that the applicant would be denied a significant property right enjoyed by others if the variance request was not granted.
- The City should be following the City Ordinances in the same manner it expects its residents to and enforcement should be applied equally.
- The Planning Commission was impressed at the presentation the applicant had shared and recommended the applicant be given additional time to come into compliance.

FAR KELL	
Planning Commission Chair	
A 7cf	
Director of Community Development	

See <u>Key Land Use Policies of the Provo City General Plan</u>, applicable <u>Titles of the Provo City Code</u>, and the <u>Staff Report to the Planning Commission</u> for further detailed information. The Staff Report is a part of the record of the decision of this item. Where findings of the Planning Commission differ from findings of Staff, those will be noted in this Report of Action.

<u>Legislative items</u> are noted with an asterisk (*) and require legislative action by the Municipal Council following a public hearing; the Planning Commission provides an advisory recommendation to the Municipal Council following a public hearing.

Administrative decisions of the Planning Commission (items not marked with an asterisk) **may be appealed** by submitting an application/notice of appeal, with the required application and noticing fees, to the Community Development Department, 330 West 100 South, Provo, Utah, **within fourteen (14) calendar days of the Planning Commission's decision** (Provo City office hours are Monday through Thursday, 7:00 a.m. to 6:00 p.m.).

BUILDING PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS



Planning Commission Staff Report Ordinance Amendment Hearing Date: March 23, 2016

ITEM 3*

Brian Dabb requests an Ordinance Text Amendment to Section 14.34.500 to allow six-foot, solid fencing within the front setback in Residential Zones. *City Wide Impact*. 16-0001OA, Robert Mills, 801-852-6407

Applicant: Brian Dabb

Staff Coordinator: Robert Mills

Property Owner: N/A

Parcel ID#: N/A

Current General Plan Designation: N/A
Proposed General Plan Designation: N/A

Current Zone: N/A

Acreage: N/A

Number of Properties: City Wide

*Council Action Required: Yes

Related Application(s): N/A

ALTERNATIVE ACTIONS

- 1. **Recommend Approval** of the proposed ordinance amendment. This would be <u>a change</u> from the Staff recommendation; the Planning Commission should state new findings.
- 2. **Continue** to a future date to obtain additional information or to further consider information presented. *The next available meeting date is April 13, 2016, at 5:30 p.m.*
- 3. **Recommend Denial** of the proposed ordinance amendment. This action would be consistent with the recommendation of the Staff Report. Any additional changes should be stated with the motion

Relevant History: The applicant owns a property at 911 East Center where an existing six-foot (6 foot) solid wall encroaches into the required front yard.

Neighborhood Issues: The Neighborhood Chair for the Grandview South neighborhood contacted staff to receive additional information and clarification. A Timp Neighborhood member phoned staff to express opposition to the proposed amendment. No other neighborhood concerns have been reported to staff at the time of this report.

Summary of Key Issues:

- Solid walls, fences, or hedges which are sight obscuring are already permitted in the required front yard to a maximum of three (3) feet.
- Walls, fences, or hedges which are not sight obscuring (at least 50% open) are permitted in the front yard to a maximum of six (6) feet.
- City staff is concerned about the potential impacts to public health and safety if applicants are allowed to include a park strip toward their front yard setback requirements.
 It is likely that such an action will result in undesirable unforeseen consequences.

Staff Recommendation:

Staff recommends forwarding a recommendation of denial to the Municipal Council.

OVERVIEW

Brian Dabb requests an ordinance amendment to add additional provisions to Section 14.34.500(1) of the Provo City Code, relating to fencing standards for residential zones, which would allow park strips in residential zones to be deducted (excluding the width of the sidewalk) from the 20-foot front yard requirement. As a direct result, applicants with park strip areas fronting their lots would be able to measure the front yard requirements from the back of the curb rather than the property line. Depending on the width of the park strip, this could effectively reduce the front yard setback by 20 feet in some parts of the City. Most commonly, the width of the park strip would be approximately seven (7) feet.

Mr. Dabb currently owns a property on Center Street in Provo at 911 East, wherein a six (6)-foot solid wall was constructed on the east side of the property that extends the entire length of the property from the rear property line to the back of the sidewalk. The wall does not comply with Section 14.34.500(1)(a), which would require the portion of the solid wall in the front yard to be reduced to a maximum of three (3) feet in height or would require the six (6)-foot wall to be non-sight obscuring (at least 50% open). Under the proposed amendment, the current wall would be permitted because the park strip width fronting this lot is approximately 20 feet.

Mr. Dabb has met with staff to show that many fences exist within Provo that are not in compliance with the current code and the application of the proposed amendment would help some of those come into compliance. Staff has acknowledged that the current fencing provisions can be a bit ambiguous and recognize that several situations of noncompliance exist; however, staff does not believe an amendment that enables an encroachment into the required front yard is the most effective way to resolve the noncompliance issue.

FINDINGS OF FACT

The current Provo Code allows solid walls, fences, or hedges which are sight obscuring in the front yard at a maximum height of three (3) feet.

The current Provo Code allows walls, fences, or hedges which are not sight obscuring (at least 50% open) in the front yard at a maximum height of six (6) feet.

The proposed amendment would allow an applicant to deduct the width of any park strip fronting a lot from the 20-foot front yard setback requirement for six (6)-foot solid walls, fences, or hedges in residential zones.

STAFF ANALYSIS

1. Provo City Code Section 14.02.020(2) sets forth the following guidelines for consideration of ordinance text amendments:

Before recommending an amendment to this Title, the Planning Commission shall determine whether such amendment is in the interest of the public, and is consistent with the goals and policies of the Provo City General Plan. The following guidelines shall be used to determine consistency with the General Plan:

(a) Public purpose for the amendment in question.

The proposed amendment seems contrary to the public purpose which is to provide adequate setback areas in the front yards of lots in residential zones. The required front yards help to ensure safety and provide necessary open space. Additionally, the current code provisions require sight obscuring walls, fences, and hedges to be reduced to a maximum of three (3) feet in height in the front yard. The proposed amendment could potentially allow a six (6)-foot solid wall, fence, or hedge to legally extend to the back of the sidewalk which could create potential hazards for pedestrians utilizing the sidewalks and motorists entering driveways.

(b) Confirmation that the public purpose is best served by the amendment in question.

The public purpose is not best served by the proposed amendment because it is not consistent with the intent of the required front yard, which is to provide an open area extending across the full width of the parcel. Allowing a solid, sight obscuring wall, fence, or hedge at a height of six (6) feet to extend into the required front yard could potentially have adverse impacts to public health and safety by making the sidewalk area less safe for pedestrians and decreasing the walkability of the neighborhood.

(c) Compatibility of the proposed amendment with General Plan policies, goals, and objectives.

The proposed amendment is inconsistent with the purpose of Chapter Five (Urban Design) which states, in part, "Design standards may regulate landscaping, signage, architecture, scale, setbacks, and the overall character of developments, either citywide or within specific design corridors." Universally allowing applicants to deduct the width of a park strip fronting their lot, which is often a significant characteristic of the neighborhood, from the required front yard would detract from the essential character of the neighborhood and the fencing design standards within the code.

(d) Consistency of the proposed amendment with the General Plan's "timing and sequencing" provisions on changes of use, insofar as they are articulated.

There are no timing and sequencing provisions related to this request.

(d) Potential of the proposed amendment to hinder or obstruct attainment of the General Plan's articulated policies.

The proposed amendment would hinder the policies of Chapter Five (Urban Design) in the General Plan as detailed above.

(e) Adverse impacts on adjacent land owners.

There are potential adverse impacts on adjacent land owners that have not been adequately addressed. For instance, a property owner may choose to erect a six (6)-foot solid wall along a property line that, by the adoption of the proposed amendment could potentially extend to the back of the sidewalk. If the adjacent property owner had a driveway along property line adjacent to the installed six (6)-foot solid wall, it would create a potentially dangerous situation because of limited visibility each time the property owner entered or exited the property.

(f) Verification of correctness in the original zoning or General Plan for the area in question.

The proposed amendment does not refer to any one area of the City.

(g) In cases where a conflict arises between the General Plan Map and General Plan Policies, precedence shall be given to the Plan Policies.

There are no conflicts.

CONCLUSIONS

The proposed amendment of this Section is inconsistent with the intent of the purpose of Chapter Five (Urban Design) of the General Plan and the intent of the Provo City Code relating to required front yards. The Code already allows for a six (6)-foot wall, fence, or hedge to extend into the required front yard provided it is not sight obscuring (at least 50% open).

STAFF RECOMMENDATION

Staff recommends that the Planning Commission forward a recommendation of denial to the Municipal Council.

ATTACHMENTS

1. Proposed Amendment

ATTACHMENT 1 - PROPOSED AMENDMENT

1 14.34.500. Fencing Standards for Residential Zones.

- 2 Fencing in the One-Family Residential (R1), Residential Conservation (RC), Low
- 3 Density Residential (LDR), Medium Density Residential (MDR), High Density
- 4 Residential (HDR), Campus High Density Residential (CHDR) and Campus
- 5 Mixed Use (CMU) Zones shall comply with the following standards:
- 6 (1) Structural fences six (6) feet or less in height shall not require a building permit.
- 7 Structural fences over six (6) feet in height shall require a building permit from
- 8 the Building Inspection Division. A structural fence or vegetative fence shall not create a
- 9 sight-distance hazard to vehicular or pedestrian traffic as defined in Section 14.34.100,
- 10 Provo City Code, and as determined by the Provo City Traffic Engineer. Fencing
- materials are limited to lumber, vinyl, chain-link, masonry, wrought iron and decorative
- metal, vegetation or other similar fencing materials. Pallets, scrap metal, tarps or other
- 13 non-fencing materials are not permitted. Any fence, wall, gate, hedge
- or structure maintained in such condition of deterioration or disrepair as to constitute a
- nuisance or a hazard to persons or property shall be repaired or replaced. Standards for
- barbed wire and similar types of fences are listed in Section 9.14.020, Provo City Code.
- 17 (a) Front Yard. Solid walls, fences or hedges which are sight obscuring may be built to a maximum of three (3) feet in height in any required front yard perimeter.
- Such walls, fences, or hedges may slope upward to connect to a higher side yard fence. The length of a sloped fence section shall not exceed one (1) section
- yard fence. The length of a sloped fence section shall not exceed one (1) section or a maximum of ten (10) feet. Walls, fences or hedges which are not sight
- obscuring (at least fifty percent (50%) open) may be built to a maximum of six (6)
- feet in height in a front yard.
- 24 (b) Side Yard. Solid sight-obscuring fences or walls and non-sight-
- obscuring fences (at least fifty percent (50%) open) may be built to a maximum of
- 26 six (6) feet.
- (c) Rear Yard. Walls and fences in a rear yard may exceed six (6) feet; provided,
- that a building permit is first obtained from the Building Inspection Division prior
- 29 to construction.
- 30 (d) Corner Lots. A fence not more than six (6) feet in height may be constructed
- in a side yard adjacent to a public street on a corner lot, provided it does not
- extend into the clear vision area of a corner lot as defined by Section 14.34.100,
- 33 Provo City Code.
- 34 (e) Entryways. Entry treatments to private driveways or subdivision development
- entrances may not exceed six (6) feet at the highest point, except lamps on
- pillars, and must comply with the provisions of Section 14.34.100,

- Provo City Code. Pillars shall be allowed to extend up to eighteen (18) inches above the allowable height of a fence; provided, that the pillars shall have a minimum spacing of no less than six (6) feet, measured face to face.
 - (f) Grade Differences. Where there is a difference in the grade of the properties on either side of a fence, wall or other similar structure, the height of the fence shall be measured from the natural grade of the property upon which it is located.
 - (g) Retaining Walls. Where a retaining wall protects a cut below or a fill above the natural grade and is located on the line separating lots or properties, such retaining wall may be topped by a fence, wall or hedge of the same height that would otherwise be permitted at the location if no retaining wall existed.
 - (h) Privacy Walls. Privacy walls which project into a required front yard may be built to a maximum of three (3) feet, except where permitted under 14.34.500(1)(j).
 - (i) Double Frontage Lots. A fence or wall may be erected in the rear yard of a double frontage lot to a maximum of six (6) feet if the rear yard fencing is common to the street, subject to staff review.
 - (j) Park Strips. In residential zones where a park strip that is maintained by the adjoining property owners(s) divides the street curb and city sidewalk, the width of the park strip, excluding sidewalk width, may be deducted from the required front yard perimeter for front side yard fencing requirements only, provided it does not extend into the clear vision area of a corner lot as defined by Section 14.34.100 Provo City Code



PLANNING COMMISSION

MARCH 23, 2016

ITEM 3*

Brian Dabb requests an Ordinance Text Amendment to Section 14.34.500 to allow sixfoot, solid fencing within the front setback in Residential Zones.

City Wide Impact

16-0001OA

1 14.34.500. Fencing Standards for Residential Zones.

feet in height in a front yard.

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- Fencing in the One-Family Residential (R1), Residential Conservation (RC), Low
- Density Residential (LDR), Medium Density Residential (MDR), High Density
- Residential (HDR), Campus High Density Residential (CHDR) and Campus
- Mixed Use (CMU) Zones shall comply with the following standards:
- (1) Structural fences six (6) feet or less in height shall not require a building permit.
- Structural fences over six (6) feet in height shall require a building permit from
- the Building Inspection Division. A structural fence or vegetative fence shall not create a
- sight-distance hazard to vehicular or pedestrian traffic as defined in Section 14.34.100.
- Provo City Code, and as determined by the Provo City Traffic Engineer. Fencing
- materials are limited to lumber, vinyl, chain-link, masonry, wrought iron and decorative
- metal, vegetation or other similar fencing materials. Pallets, scrap metal, tarps or other
- non-fencing materials are not permitted. Any fence, wall, gate, hedge
- or structure maintained in such condition of deterioration or disrepair as to constitute a
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 - (b) Side Yard. Solid sight-obscuring fences or walls and non-sightobscuring fences (at least fifty percent (50%) open) may be built to a maximum of six (6) feet.
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60005417 **Provo City Corporation**

Daily Herald

Order Nbr 69680

Contact	Provo City Corporation	PO Number	
Address 1	P.O. BOX 1849	Rate	Provo City
Address 2		Order Price	48.46
City St Zip	PROVO UT 84603	Amount Paid	0.00
Phone	8018526505	Amount Due	48.46
Fax			
Section	Legals	Start/End Dates	04/11/2016 - 04/11/2016
SubSection		Insertions	 1
Category	999 Legal Notices	Size	39
Ad Key	69680-1	Salesperson(s)	CLASSIFIED DEFAULT
Keywords	69680-NOTICE OF PUBLIC HEARING	Taken By	Whitney Mason

Ad Proof

Notes

Publication

NOTICE OF PUBLIC HEARING BEFORE THE MUNICIPAL COUNCIL

Notice is hereby given that the Municipal Council of Provo, Utah will hold a public hearing on these items on Tuesday, May 3, 2016 beginning at 5:30 p.m. in the Council Chambers located at the Provo City Center Building, 351 West Center Street. Anyone interested is invited to attend.

The Provo City Community Development Department requests an Ordinance Amendment to Provo City Code Sections 14.41, 15.03.300, 15.03.310, 15.04.120, and 15.06.030 in order to clarify code and update submittal requirements for planning applications. City Wide Impact. 15-0012OA, Aaron Ardmore, 801-852-6404.

Ivory Homes requests an Ordinance Amendment to Section 14.49E.050(6)(a)(iii) and 14.49E.040(6)(b)(ii) regarding the allowance for both side yards to have a minimum setback of five feet instead of one five foot and one eight foot setback in single-family residential areas

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Adam Hall requests a Zone Change from Residential Conservation (RC) to Low Density Residential (LDR) to facilitate a three-lot subdivision for property located at approximately 1080 West 500 North. North Park Neighborhood. 16-0002R, Dustin Wright, 2019.56.4444 801-852-6414.

801-852-6414.

Brian Dabb requests an Ordinance Text Amendment to Section 14.34.500 to allow six-foot, solid fencing within the front setback in Residential Zones. City Wide Impact. 16-00010A, Robert Mills, 801-852-6407.

Legal Notice 69680 Published in The Daily Herald April 11, 2016

1 of 2 4/8/2016 10:13:39 AM SWN\promasow

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